EPBC Annual Compliance Report 2025-26

EPBC 2021/9102 – Goulburn River Solar Farm

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Document Control

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Prepared by	Rachael Hannah (Environmental Management Consultant, Adapt Management Group) on behalf of Goulburn River Fund Pty Ltd
Reviewed by	Beth Kramer, Principal Environmental Planner
Endorsed By	Beth Kramer, Principal Environmental Planner

Revision History

Revision	Date	Description of changes
Draft.v1	20 October 2026	Initial draft for review
Final.v1	29 October 2026	ACR finalised for publication with spatial data

Declaration of accuracy

In making this declaration, I am aware that sections 490 and 491 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act) make it an offence in certain circumstances to knowingly provide false or misleading information or documents. The offence is punishable on conviction by imprisonment or a fine, or both. I declare that all the information and documentation supporting this compliance report is true and correct in every particular. I am authorised to bind the approval holder to this declaration and that I have no knowledge of that authorisation being revoked at the time of making this declaration.

Signed	
Full Name	Beth Kramer
Position	Principal Environmental Planner
Organisation ABN/ACN	Goulburn River Fund Pty Ltd ACN 623 301 799 *Lightsource Development Services Australia Pty Ltd (Lightsource bp)* *ACN 623 301 799*
Date	29 October 2026

Disclaimer

This report has been prepared based on available records and information current at the time of reporting. Findings relating to matters under investigation may be updated if new information becomes available.

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1 Introduction

1.1 Background

The Goulburn River Solar Farm is a large-scale renewable energy project being delivered by Lightsource Development Services Australia Pty Ltd (Lightsource bp) in the Upper Hunter region, NSW. Development Consent for the project was granted under the *Environmental Planning and Assessment Act 1979* (EP&A Act) on 22 August 2024 (SSD-33964533). The project was further approved under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) on 7 October 2024 (EPBC 2021/9102).

A variation to the conditions attached to the approval was issued by the Commonwealth Department of Climate Change, Energy, the Environment and Water (DCCEEW) on 30 April 2025.

The approval holder transferred from Lightsource bp to the Project special purpose vehicle, Goulburn River Fund Pty Ltd, on 15 May 2025.

1.2 Scope

This Annual Compliance Report (ACR) addresses compliance with EPBC Approval 2021/9102 for the reporting period of 7 October 2025 to 7 October 2026. The report has been prepared in accordance with the *Annual Compliance Report* Guidelines (Commonwealth of Australia, 2023) to satisfy Conditions 22-28 of the approval. The scope of the report includes:

- Assessment of compliance with EPBC Approval 2021/9102.
- Assessment of compliance with NSW Development Consent conditions where required by the EPBC approval.
- Reporting on the implementation of commitments made in approved management plans during the reporting period.

1.3 Project Details

The Goulburn River Solar Farm involves the construction, operation and decommissioning of a solar photovoltaic facility with a capacity of up to approximately 585 MWp, including Battery Energy Storage System (BESS), substation and connection to an existing 500 kilovolt transmission line. Associated infrastructure includes temporary construction facilities, a temporary works accommodation facility, operation and maintenance buildings, internal access roads, and upgrades to sections of the surrounding local and state road network.

For the purpose of EPBC Approval 2021/9102, the Action Area is comprised of:

- the Solar Farm Action Area, shown in Attachment A of the approval, and
- the Road Upgrade Action Area, shown in Attachments B, C and D of the approval.

Table 1-1 Project details

EPBC Approval	EPBC 2021/9102
Project Name	Goulburn River Solar Farm
Approval Holder	Goulburn River Fund Pty Ltd ACN 673 011 786
Approved Action	Construction, operation, and decommissioning of a large-scale solar farm and Battery Energy Storage System including road upgrade works.
Location of Project	2335 Wollara Road, approximately 28 km southwest of Merriwa, NSW.

Reporting Period	7 October 2025 to 7 October 2026

1.4 Description of Activities

Road upgrades were completed during the reporting period, including upgrades to sections of Ringwood Road and Wollara Road and construction of two culvert crossings at Bow River and Killoe Creek.

Construction of the solar farm continued. Activities included:

- Completion of all clearing works.
- Bulk earthworks.
- Installation of piles to support solar panels.
- Solar panel installation and associated mechanical works.
- Construction of the substation and switchyard.
- Ongoing installation and maintenance of environmental controls, including erosion and sediment controls and heritage and ecological no-go zones.
- Completion of perimeter security fencing and biodiversity fencing, excluding gates and waterway crossing sections.

1.5 Plans in Effect

Table 1-2 provides a schedule of all plans required under the EPBC approval that were in effect during the reporting period.

Table 1-2 Plans in effect during the reporting period

Plan Name	Approval Authority	Approval Date	Version
Biodiversity Management Plan (BMP)	NSW Planning Secretary	19 December 2024	V3

1.6 Implementation of Plans

The Biodiversity Management Plan (BMP) was implemented during the reporting period in accordance with Conditions 4 and 5 of the EPBC approval.

Procedures implemented during the reporting period included:

- Vegetation clearance procedures, including:
  - exclusion fencing and No-Go Zones (NGZs) procedures
  - vegetation disturbance procedures
  - pre-clearing survey procedures
  - tree felling and fauna habitat feature removal procedures
  - controls for preventing vegetation removal outside approved clearing boundaries
- Fauna handling procedures, including:
  - injured fauna and vehicle strike response
  - relocation of fauna
  - fauna handling information
  - dam dewatering policy and aquatic fauna handling procedures
- Unexpected threatened species finds procedure
- Weed and pathogen management procedures
- Delivery of environmental inductions, toolbox talks and ongoing training addressing biodiversity values, NGZs, and threatened species procedures.

The BMP remained in effect for the duration of the reporting period and was implemented for the completion of the road upgrades and construction of the solar farm to avoid and minimise impacts on matters protected under the EPBC Act. Full assessment of the implementation of the BMP is provided in **Table 2-3**.

2 Compliance Assessment

2.1 Assessment of Compliance

Compliance with approval conditions has been assessed using the following descriptors, consistent with the *Annual Compliance Report Guidelines* (Commonwealth of Australia, 2023):

- **Compliant –** all the requirements of a condition have been met, including the implementation of management plans or other measures required by those conditions.
- **Non-compliant –** the requirements of a condition or elements of a condition, including the implementation of management plans and other measures, have not been met.
- **Not applicable –** the requirements of a condition or elements of a condition fall outside of the scope of the current reporting period. For example, a condition that applies to an activity that has not yet commenced.

The complete assessment of compliance with EPBC Approval 2021/9102, relevant NSW development consent conditions, and commitments in the approved management plans is provided in **Tables 2-1, 2-2 and 2-3**.

Table 2-1 Compliance with EPBC Approval 2021/9102

No.	Condition	Compliance Status	Evidence/Comments
Part A – Avoidance, mitigation, and compensation conditions			
CLEARING LIMITS			
1.	The approval holder must not: a) clear outside of the Action area b) construct outside of the Action area.	Non-compliant	Two small sections of road extended outside the approved Action Area along access track (MC-60) to Stage 4, affecting approximately 0.0181 ha. The incident resulted from the contractor using an incorrect spatial layer to identify the boundary. DCCEEW was notified on 8 April 2026 and the area was rehabilitated. Further detail is provided in **Table 2-5**, ID I-01.
2.	To avoid and mitigate impacts to protected matters as a result of the Action, the approval holder must not clear more than: c) 494.43 hectares (ha) of Box Gum Woodland d) 42.46 ha of Regent Honeyeater habitat e) 22.49 ha of Painted Honeyeater habitat. Note: Attachment A contains the figures showing where the impacts to protected matters will occur.	Compliant	Clearing during the reporting period did not exceed the approved limits for the listed protected matters. Clearing totals are provided in **Table 2-4.**
3.	If the approval holder detects the presence, where likely to be affected by the Action, of any protected matter or the habitat of any protected matter not previously reported to the department as part of the referral of this Action or in accordance with this condition, the approval holder must notify the department in writing of the presence and likely extent of any protected matter or the habitat of any protected matter not previously reported to the department within 10 business days of detecting the presence of any protected matter or the habitat of any protected matter not previously reported to the department.	Compliant	A potential occurrence of Bathurst earless dragon (*Tympanocryptis mccartneyi*) was identified on 5 October 2025 during road upgrade works at Bow River. DCCEEW was notified in writing on 8 October 2025, within the required 10 business days and an exclusion zone was established until the species could be formally identified. On 31 March 2026, the project's construction contractor, DT Infrastructure (DTI), working with species experts from the Grassland Earless Dragon Alliance, advised that genetic analysis had been undertaken and confirmed the specimen belongs to the *Tympanocryptis tetraporophora / Tympanocryptis darlingensis* lineage and is not a Bathurst earless dragon. DTI noted that the record represents an extension of the known range. The exclusion zone remained in place until the species was confirmed, and consultation with the Alliance was undertaken regarding close-out and ongoing management requirements.

No.	Condition	Compliance Status	Evidence/Comments
BIODIVERSITY MANAGEMENT PLAN			
4.	To avoid and mitigate impacts on protected matters as a result of the Action, the approval holder must comply with condition B16 of the NSW Approval, to the extent that it relates to protected matters.	Compliant	The Biodiversity Management Plan (BMP) continued to be implemented during the reporting period to avoid and mitigate impacts on protected matters. A revised BMP was submitted to DPHI on 2 April 2026 for approval. This version was then withdrawn and re-submitted to DPHI on 24 September 2026. The revisions incorporate an approximately 13 ha reduction in the proposed disturbance footprint, including areas supporting MNES previously identified for clearing. DPHI approval remained pending at the end of the reporting period. DCCEEW were notified that a revised BMP had been submitted on 2 April 2026 and again on 15 September 2026 (following submission to the DCA for consultation and ahead of submission to DPHI).
5.	The approval holder must implement the Biodiversity Management Plan required by condition B16 of the NSW Approval, as approved by the NSW Planning Secretary, prior to the commencement of the Action and continue to implement the Biodiversity Management Plan required by condition B16 of the NSW Approval, as approved by the NSW Planning Secretary, until the completion of the Action.	Compliant	The BMP was approved and implemented during the previous reporting period, prior to commencement of the Action. The BMP continued to be implemented throughout construction activities undertaken during the current reporting period.
OFFSETS			
6.	To compensate for impacts to protected matters as a result of the Action, the approval holder must comply with conditions B14 and B15 of the NSW Approval, to the extent that they relate to protected matters.	Not applicable	Offset requirements were fulfilled during the previous reporting period. No additional offset requirements were triggered during this reporting period.
7.	Within 20 business days of retiring the biodiversity credits as required by condition 6, the approval holder must submit evidence to the department demonstrating that the biodiversity credits have been retired in accordance with the NSW Approval.	Not applicable	Evidence of credit retirement was submitted during the previous reporting period. No biodiversity credits were retired during this reporting period.
Part B – Administrative Conditions			
REVISION OF ACTION MANAGEMENT PLANS			

No.	Condition	Compliance Status	Evidence/Comments
8.	The approval holder must notify the department within 2 days of submitting any request to have a revised version of a plan approved by the NSW Planning Secretary. In this notification, the approval holder must provide the revised version of the plan to the department and specify the proposed changes. If a revised version of a plan is approved by the NSW Planning Secretary, within 5 days of the revised plan being approved by the NSW Planning Secretary, the approval holder must provide the department with: a) the version of the revised plan approved by the NSW Planning Secretary, b) details of the comparison between the previous and most recently approved versions of the plan, describing all changes, and c) a detailed discussion describing any changes to the harm, including impacts, to protected matters which will, or will likely, occur as a result of implementing the version of the revised plan approved by the NSW Planning Secretary. Note: Condition 8 is not intended to limit the operation of section 143A of the EPBC Act which allows the approval holder to submit a revised action management plan, at any time, to the Minister for approval.	Compliant	The revised BMP was issued to DCA for consultation on 9 September 2026. DCCEEW was provided with advance notification, a copy of the revised BMP and a summary of proposed changes on 15 September 2026. Following DCA's advice that it had no further comments, the BMP was submitted to DPHI for NSW Planning Secretary approval on 24 September 2026.
SUBMISSION AND PUBLICATION OF PLANS			
9.	The approval holder must submit all plans required by these conditions electronically to the department. This includes plans required under any conditions of the NSW Approval that are specified in these conditions.	Compliant	The approved BMP (V1) was submitted electronically to DCCEEW on 3 February 2025. The revised BMP (V2; not yet approved by DPHI) was submitted electronically to DCCEEW on 15 September 2026.
10.	Unless otherwise agreed to in writing by the Minister, the approval holder must publish each plan on the website within 15 business days of the date the plan is approved by the Minister or by the NSW Planning Secretary as required under NSW Approval conditions which must be complied with in accordance with these EPBC Act approval conditions.	Not applicable	The approved BMP was published during the previous reporting period. No revised plans were approved during this reporting period.
11.	The approval holder must keep all plans required by these conditions published on the website until the expiry date of this approval.	Compliant	The approved BMP remains publicly available on the project website and on the NSW Major Projects Portal.
12.	The approval holder is required to exclude or redact sensitive biodiversity data from plans published on the website or otherwise provided to a member of the public. If sensitive biodiversity data is excluded or redacted from a plan, the approval holder must notify the department in writing what exclusions and redactions have been made in the version published on the website.	Compliant	The published BMP does not contain sensitive biodiversity data requiring redaction.
MODIFICATIONS TO STATE OR TERRIOTRY APPROVAL			
13.	The approval holder must notify the department in writing of any proposed change to the NSW Approval that may relate to protected matters within 2 business days of formally proposing such a change and within 5 business days of becoming aware of any proposed change.	Compliant	A modification application involving changes to the development footprint and reassessment of new areas was submitted to DPHI on 14 September 2026. DCCEEW was notified in writing on 15 September 2026, within two business days of formal submission.

No.	Condition	Compliance Status	Evidence/Comments
14.	The approval holder must notify the department in writing of any change to the NSW Approval conditions that may relate to protected matters, within 5 business days of such a change to conditions coming into effect. Such notification must include a copy of the changed NSW Approval conditions showing what changes have been made.	Not applicable	No changes to NSW Development Consent conditions relating to protected matters came into effect during the reporting period. The modification application submitted on 14 September 2026 remains under assessment.
COMMENCEMENT OF THE ACTION			
15.	The approval holder must notify the department electronically of the date of commencement of the Action, within 5 business days following commencement of the Action.	Not applicable	The Action commenced on 7 February 2025, and DCCEEW was notified on 13 February 2025. This requirement was fulfilled during the previous reporting period.
16.	The approval holder must not commence the Action later than 5 years after the date of this approval decision.	Not applicable	The Action commenced on 7 February 2025, within five years of the approval decision dated 7 October 2024. This requirement was fulfilled during the previous reporting period.
COMPLIANCE RECORDS			
17.	The approval holder must maintain accurate and complete compliance records and document the procedure for recording and storing compliance records.	Compliant	Compliance records were maintained throughout the reporting period in accordance with documented recording, storage and document control procedures.
18.	If the department makes a request in writing, the approval holder must provide electronic copies of compliance records to the department within the timeframe specified in the request. Note: Compliance records may be subject to audit by the department, or by an independent auditor in accordance with section 458 of the EPBC Act, and/or be used to verify compliance with the conditions. Summaries of the results of an audit may be published on the department's website or through the general media.	Not applicable	No written requests for compliance records were received from DCCEEW within the reporting period.
19.	The approval holder must ensure that any monitoring data, surveys, maps, and other spatial and metadata required under the conditions of this approval are prepared in accordance with the Guidelines for biological survey and mapped data, Commonwealth of Australia 2018, or as otherwise specified by the Minister in writing.	Compliant	Required biodiversity data and spatial records prepared during the reporting period were prepared in accordance with the *Guidelines for biological survey and mapped data* (Commonwealth of Australia, 2018).
20.	The approval holder must ensure that any monitoring data, surveys, maps, and other spatial and metadata required under the conditions of this approval are prepared in accordance with the Guide to providing maps and boundary data for EPBC Act projects, Commonwealth of Australia 2021, or as otherwise specified by the Minister in writing.	Compliant	Required maps and spatial data prepared during the reporting period were prepared in accordance with the *Guide to providing maps and boundary data for EPBC Act projects* (Commonwealth of Australia, 2021).
21.	The approval holder must submit all monitoring data, surveys, maps, other spatial and metadata and all species occurrence record data (sightings and evidence of presence) electronically to the department within	Non-compliant	Required data associated with the 7 October 2025 approval anniversary were not submitted within 20

No.	Condition	Compliance Status	Evidence/Comments
	20 business days of the next anniversary of the date of this approval decision except where otherwise specified in a plan.		business days. The non-compliance was self-reported to DCCEEW on 15 January 2026 and disclosed in the 2024–25 ACR. Compliance calendar triggers were updated to prevent recurrence. This NC is included here as the submission deadline fell within this reporting period.
ANNUAL COMPLIANCE REPORTING			
22.	The approval holder must prepare a compliance report for each Annual Compliance Report period (ACR period).	Compliant	This report has been prepared for the reporting period 7 October 2025 to 7 October 2026.
23.	The approval holder must ensure each compliance report includes: a) accurate and complete details of compliance and any non-compliance with: i. each condition imposed under the NSW Approval, if a condition attached to this approval decision requires compliance with that NSW Approval condition, ii. each condition attached to this approval decision, and iii. all commitments made in each plan, b) a schedule of all plans in effect in relation to these conditions during the ACR period, c) accurate and complete details of how each plan was implemented during the ACR period, and d) if any incident occurred, accurate and complete details of each incident.	Compliant	This report addresses compliance with EPBC conditions and relevant NSW consent conditions, includes a schedule of applicable plans, documents plan implementation, and reports incidents for the period.
24.	The approval holder must ensure each compliance report is completed to the satisfaction of the Minister and is consistent with the *Annual Compliance Report Guidelines*, Commonwealth of Australia 2023.	Compliant	This report has been prepared in accordance with the *Annual Compliance Report Guidelines* (Commonwealth of Australia, 2023).
25.	The approval holder must, within 20 business days following the end of each ACR period, in a format that is easily accessible and downloadable, publish on the website: a) each compliance report, and b) a shapefile showing all clearing of protected matters, and their habitat, undertaken within the ACR period.	Non-compliant	The 2024–25 ACR and clearing shapefile were published on the project website on 20 February 2026, outside the required timeframe. The non-compliance was self-reported to DCCEEW on 15 January 2026 and disclosed in the 2024–25 ACR. Compliance calendar triggers were updated to prevent recurrence. This non-compliance is included here because the publication deadline fell within this reporting period.
26.	The approval holder must: a) Exclude or redact sensitive biodiversity data from each compliance report and shapefile published on the website or otherwise provided to a member of the public. b) If sensitive biodiversity data is excluded or redacted from a version of a compliance report published or otherwise provided to a member of the public, submit the full compliance report to the department within 5 business days of its publication on the website and notify the department	Compliant	No sensitive biodiversity data required redaction from the report or shapefile published during the reporting period.

No.	Condition	Compliance Status	Evidence/Comments
	in writing what exclusions and redactions have been made in the version published on the website or otherwise provided to a member of the public. c) If sensitive biodiversity data is excluded or redacted from a version of a shapefile published or otherwise provided to a member of the public, submit the full shapefile to the department within 5 business days of its publication on the website and notify the department in writing what exclusions and redactions have been made in the version published on the website or otherwise provided to a member of the public.		
27.	The approval holder must notify the department electronically, within 5 business days of each date of publication that the compliance report has been published on the website. In this notification, the approval holder must provide the department with the web address for where the compliance report and related shapefile are published on the website.	Compliant	DCCEEW was notified electronically on 20 February 2026 of publication of the 2024–25 ACR and related shapefile, with the website address provided.
28.	The approval holder must keep each compliance report and related shapefile published on the website from the first date which that compliance report must be published and until the expiry date of this approval. Note: Compliance reports may be published on the department's website.	Non-compliant	The 2024–25 ACR and related shapefile remained publicly available following publication on 20 February 2026. Non-compliance relates solely to the initial publication delay described under Condition 25, no subsequent interruption to availability occurred during the reporting period.
REPORTING NON-COMPLIANCE			
29.	The approval holder must notify the department electronically, within 2 business days of becoming aware of any incident. The approval holder must specify in each notification: a) any condition or commitment made in a plan which has not been, or may have not been, complied with, b) a short description of the incident, and c) the location (if applicable, including co-ordinates), date and time of the incident.	Compliant	Incidents and non-compliances identified during the reporting period were notified to DCCEEW within the required timeframes. Details on incidents and non-compliances are provided in **Table 2-5**.
30.	The approval holder must provide to the department in writing, within 12 business days of becoming aware of an incident, the details of that incident. The approval holder must specify: a) all corrective measures and investigations which the approval holder has already taken in respect of the incident, b) the potential impacts of the incident, c) the method and timing of any corrective measures that the approval holder proposes to undertake to address the incident, and d) any variation of these conditions or revision of a plan that will be required to prevent recurrence of the incident and/or to address its consequences.	Compliant	Incident details, corrective measures and prevention actions were submitted within 12 business days of awareness. No further information was requested by DCCEEW.
INDEPENDENT AUDIT			

No.	Condition	Compliance Status	Evidence/Comments
31.	The approval holder must ensure that an independent audit of compliance with the conditions is conducted for every audit period.	Not applicable	The audit period is defined as each subsequent five-year period following commencement of the Action. No independent audit was required during the reporting period.
32.	The approval holder must submit details of the proposed independent auditor and their qualifications to the department within 10 business days following the end of each audit period.	Not applicable	Not required during the reporting period.
33.	The approval holder must ensure the scope of each independent audit is sufficient to determine the compliance status for each condition of approval, and each commitment made in each plan.	Not applicable	Not required during the reporting period.
34.	The approval holder must ensure the criteria for each independent audit and the undertaking of each independent audit are consistent with the Independent Audit and Audit Report Guidelines.	Not applicable	Not required during the reporting period.
35.	The approval holder must ensure the criteria for each independent audit and the undertaking of each independent audit are consistent with the Independent Audit and Audit Report Guidelines.	Not applicable	Not required during the reporting period.
36.	The approval holder must ensure each audit report is completed to the satisfaction of the Minister and is consistent with the Independent Audit and Audit Report Guidelines.	Not applicable	Not required during the reporting period.
37.	The approval holder must publish each audit report on the website, in a format that is easily accessible and downloadable, within 10 business days of the date the department agrees to that audit report in writing.	Not applicable	Not required during the reporting period.
38.	The approval holder must notify the department within 5 business days of the date the audit report is published on the website. In this notification, the approval holder must provide the department with the web address for where the audit report is published on the website.	Not applicable	Not required during the reporting period.
39.	The approval holder must keep each audit report published on the website from the first date which that audit report must be published and until the expiry date of this approval.	Not applicable	Not required during the reporting period.
COMPLETION OF THE ACTION			
40.	Within 20 business days after the completion of the Action, and, in any event, at least 20 business days before this approval expires, the approval holder must notify the department electronically of the date of completion of the Action and provide completion data. The approval holder must submit any spatial data that comprises completion data as a shapefile.	Not applicable	The Action was not completed during the reporting period.
41.	The approval holder must notify the department electronically 60 business days prior to the expiry date of this approval, that the approval is due to expire. Note: Section 145C of the EPBC Act entitles the approval holder to request an extension to the period of effect of this approval.	Not applicable	The requirement to notify DCCEEW 60 business days before approval expiry was not triggered during the reporting period.

Table 2-2 Compliance with NSW Planning Approval, Development Consent SSD-33964533

<table>
<tr><th>No.</th><th>Condition</th><th>Compliance Status</th><th>Evidence/Comments</th></tr>
<tr><td colspan="4">Part B – Environmental Conditions - General</td></tr>
<tr><td colspan="4">BIODIVERSITY</td></tr>
<tr><td>B14.</td><td>Prior to carrying out any development that could directly or indirectly impact the biodiversity values requiring offset, the Applicant must retire biodiversity credits of a number and class specified in Table 1 and Table 2 below. The retirement of these credits must be carried out in accordance with the NSW Biodiversity Offsets Scheme and can be achieved by:
a) acquiring or retiring ‘biodiversity credits’ within the meaning of the Biodiversity Conservation Act 2016;
b) making payments into an offset fund that has been developed by the NSW Government; and/or
c) funding a biodiversity conservation action that benefits the entity impacted and is listed in the ancillary rules of the biodiversity offset scheme.
Table 1 Ecosystem Credit Requirements
<table><tr><th>Vegetation Community</th><th>PCT ID</th><th>Credits Required</th><th>Timing</th></tr><tr><td>Solar Farm Site</td><td></td><td></td><td></td></tr><tr><td>Grey Box x White Box grassy open woodland on basalt hills in the Merriwa region, upper Hunter Valley</td><td>483</td><td>4,618</td><td rowspan="2">Prior to commencing construction</td></tr><tr><td>Narrow-leaved Ironbark - Black Pine - Sifton Bush heathy open forest on sandstone ranges of the upper Hunter and Sydney Basin</td><td>1661</td><td>59</td></tr><tr><td>Road Upgrades</td><td></td><td></td><td></td></tr><tr><td>Grey Box x White Box grassy open woodland on basalt hills in the Merriwa region, upper Hunter Valley</td><td>483</td><td>11</td><td rowspan="5">Prior to commencing road upgrade works</td></tr><tr><td>Narrow-leaved Ironbark - Grey Box grassy woodland of the central and upper Hunter</td><td>1691</td><td>4</td></tr><tr><td>Western Hunter Flats Red Gum Sedge Forest</td><td>3334</td><td>1</td></tr><tr><td>Central West Valleys White Box Forest</td><td>3388</td><td>12</td></tr><tr><td>Ulan Sandstone Ironbark-Pine Woodland</td><td>3781</td><td>32</td></tr></table>Table 2 Species Credit Requirements
<table><tr><th>Species Credit Species</th><th>Credits Required</th><th>Timing</th></tr><tr><td>Solar Farm Site</td><td></td><td></td></tr><tr><td>Regent Honeyeater (Anthochaera phrygia)</td><td>1,424</td><td rowspan="2">Prior to commencing construction</td></tr><tr><td>Barking Owl (Ninox connivens)</td><td>6</td></tr><tr><td>Road Upgrades</td><td></td><td></td></tr><tr><td>Commersonia rosea</td><td>14</td><td rowspan="12">Prior to commencing road upgrade works</td></tr><tr><td>Pine Donkey Orchid (Diuris tricolor)</td><td>2</td></tr><tr><td>Regent Honeyeater (Anthochaera phrygia)</td><td>9</td></tr><tr><td>Large-eared Pied Bat (Chalinolobus dwyeri)</td><td>85</td></tr><tr><td>Giant Burrowing Frog (Heleioporus australiacus)</td><td>25</td></tr><tr><td>Pale-headed Snake (Hoplocephalus bitorquatus)</td><td>3</td></tr><tr><td>Broad-headed Snake (Hoplocephalus bungaroides)</td><td>64</td></tr><tr><td>Barking Owl (Ninox connivens)</td><td>13</td></tr><tr><td>Common Planigale (Planigale maculate)</td><td>3</td></tr><tr><td>Stripped Legless Lizard (Delma impar)</td><td>27</td></tr><tr><td>Eastern Cave Bat (Vespadelus troughtoni)</td><td>14</td></tr></table></td><td>Not applicable</td><td>Required biodiversity credit retirements and offset payments were completed during the previous reporting period, prior to biodiversity-impacting works. No additional offset requirements were triggered during this reporting period.</td></tr>
<tr><td>B15.</td><td>Prior to carrying out any development that could directly or indirectly impact the biodiversity values requiring offset, the Applicant must provide evidence to the Planning Secretary that biodiversity credits have been retired.</td><td>Not applicable</td><td>Credit retirement evidence was provided during the previous reporting period. No further notification was required this period.</td></tr>
</table>

No.	Condition	Compliance Status	Evidence/Comments
B16.	Prior to carrying out any development that could directly or indirectly impact biodiversity values, the Applicant must prepare a Biodiversity Management Plan for the development in consultation with BCS, and to the satisfaction of the Planning Secretary. This plan must: a) be prepared in accordance with the Biodiversity Development Assessment Reports dated 11 January 2024 and 18 January 2024 provided in the Amendment Report; b) include a description of the measures and timeframes that would be implemented for: i. protecting vegetation and fauna habitat outside the approved disturbance areas; ii. managing and enhancing the remnant vegetation and fauna habitat on site; iii. minimising clearing and avoiding unnecessary disturbance of vegetation that is associated with the construction and operation of the development; iv. minimising the removal of hollow-bearing trees during spring to avoid the main breeding period for hollow-dependent fauna; v. minimising the impacts to fauna on site and implementing fauna management protocols; vi. rehabilitating and revegetating temporary disturbance areas with native species that are appropriate to the site's ecology and conditions; vii. maximising the salvage of vegetative and soil resources within the approved disturbance area for beneficial reuse in the enhancement or the rehabilitation of the site; viii. controlling weeds, feral pests and pathogens in consideration of the relevant Commonwealth threat abatement plans; and ix. minimising impacts on entities at risk of a serious and irreversible impact (SAII), including: • securing an additional 23.5 hectares of Box Gum Woodland derived native grassland (DNG) within a Biodiversity Stewardship Agreement for the purposes of rehabilitating, enhancing and protecting, in perpetuity, this vegetation to a condition state commensurate with Box Gum Woodland; • undertaking a research program regarding the impacts of the development on the vegetation integrity of the Box Gum Woodland DNG retained onsite; and • providing $25,000 per annum (over the first 5 years following commencement of construction) towards Regent Honeyeater conservation programs in consultation with the BCS; c) include a program to monitor and report on the effectiveness of mitigation measures; d) include an incidental threatened species finds protocol to identify the avoid and/or minimise and/or offset options to be implemented if additional threatened species are discovered on site; e) include details of who would be responsible for monitoring, reviewing and implementing the plan. Following the Planning Secretary's approval, the Applicant must implement the Biodiversity Management Plan.	Compliant	The BMP was prepared by Umwelt (Final dated 18 Dec 2024) in consultation with BCS and approved by DPHI on 19 Dec 2024. The approved BMP continued to be implemented during the reporting period, including incident response, investigation and corrective measures.

Table 2-3 Compliance with approved management plans

No.	Condition	Compliance Status	Evidence/Comments
Biodiversity Management Plan			
1a.	Prepare a BMP in accordance with Condition B16.	Not applicable	The BMP was prepared and approved during the previous reporting period.
1b.	Implement this BMP in accordance with Condition B16.	Compliant	The approved BMP was implemented during the reporting period, including monitoring, incident reporting and corrective action.
2.	Inductions for the workforce will be undertaken to make them aware of the key ecological issues present in the development footprint to aid in their understanding of their role and responsibilities in the protection and/or minimisation of impacts to all native biodiversity.	Compliant	Key ecological issues, worker responsibilities and required measures to avoid or minimise impacts to biodiversity are included in the mandatory project induction completed by all personnel prior to site access.
3.	Inductions will identify the location of sensitive flora and fauna, including any defined no-go areas, and the policies being implemented to protect the biodiversity values of such areas.	Compliant	The project induction identifies sensitive flora and fauna, defined no-go areas, and controls in place to protect biodiversity values.
4.	BMP will include responsibilities with respect to weed management and biosecurity.	Compliant	Weed management and biosecurity responsibilities are specified in the approved BMP.
5.	Appropriate temporary fencing (or other form of suitable marking measures) and signposting of no-go areas to prevent the uncontrolled entry of people, accidental disturbance and to minimise vehicular and human traffic. Security fencing will also be constructed around the perimeter of the Project for access control purposes.	Compliant	No-go areas were delineated using fencing and signage. The April 2026 encroachment involved the contractor using an incorrect shapefile layer to identify the boundary (details and corrective actions are provided in Table 2-5).
6.	Clear and visible signage is to be appropriately located to inform the workforce and others of the restricted access or otherwise of no-go areas, including the BSS outside the Development Footprint.	Compliant	Clear and visible signage identified restricted access and no-go areas, including the Biodiversity Stewardship Site outside the Development Footprint.
7.	Worker education and awareness of exclusion areas, including as delivered through site induction information.	Compliant	Exclusion areas were communicated to workers through site inductions, control plans and toolbox discussions.
8.	The use of GPS enabled machinery (where available) to help prevent accidental disturbance of exclusion areas.	Compliant	GPS-enabled machinery was used where available to reduce the risk of disturbance outside approved work areas.

No.	Condition	Compliance Status	Evidence/Comments
9.	Pre-clearance surveys and tree felling supervision will be undertaken by an appropriately qualified and experienced ecologist to minimise potential impacts to fauna species, particularly hollow-dependent fauna.	Compliant	Pre-clearance surveys and tree felling supervision were undertaken by suitably qualified ecologists where clearing occurred.
10.	A detailed tree-felling supervision protocol is to be developed and documented as part of the CEMP for the Project. *Note: The tree feeling procedure is included in Section 6.3.6 of this document and will not be duplicated in a CEMP.*	Compliant	The tree-felling protocol is documented in Section 6.3.6 of the approved BMP.
11.	Rock piles within the site should be retained (where possible) or otherwise relocated to Project exclusion areas and / or the BSS during pre-clearance surveys.	Compliant	Rock piles were retained or relocated to exclusion areas or the Biodiversity Stewardship Site where practicable during pre-clearance activities.
12.	A Stormwater Management Plan including an Erosion Sediment Control Plan (ESCP) will be prepared to appropriately limit post Project flows and manage downstream water quality as part of the site establishment and clearing works.	Compliant	A CPESC was engaged by the contractor, and stormwater and erosion and sediment control measures were implemented in accordance with approved plans during clearing works.
13.	Pre-clearance surveys will identify invasive weed species, which will be treated prior to the disturbance of topsoil within the Development Footprint to prevent an outbreak and / or the spread of species to previously unaffected areas within the Development Footprint.	Compliant	Pre-clearance surveys identified invasive weed species within the Development Footprint, consistent with species observed during the EIS. Targeted treatment of priority weeds is progressively being undertaken as works progress.
14.	Ongoing environmental inspections and treatment of outbreaks of invasive weed species as required within the Development Footprint during construction and operation of the Project.	Compliant	Environmental inspections were undertaken and weed outbreaks continue to be treated through construction.
15.	All machinery and equipment will be cleaned thoroughly prior to entering the Development Footprint. Cleaning must include the removal of all mud and plant matter (inside and out), followed by washing with high pressure water.	Compliant	Machinery and equipment are cleaned prior to entering the Development Footprint to minimise weed and pathogen spread.
16.	A security fence will be constructed to deter medium and large-sized terrestrial mammals from occupying and becoming entrapped within the site infrastructure.	Compliant	Installation of security fencing continued during the reporting period. Interim fauna management measures, including on-site ecologist support, have been implemented until fencing can be completed.
17.	Maintain a wildlife corridor cross the Project Area through retention of large areas of suitable habitat for the regent honey eater (*Anthochaera phrygia*) and White Box – Yellow Box – Blakely's Red Gum Grassy woodland and derived native grassland.	Compliant	Large areas of suitable habitat have been retained through project design to maintain habitat connectivity for Regent Honeyeater and Box Gum Woodland and derived native grassland.

No.	Condition	Compliance Status	Evidence/Comments
18.	Detailed design and construction planning avoided direct impacts on native riparian vegetation.	Compliant	Detailed design and construction planning avoided direct impacts on native riparian vegetation, where practicable.
19.	Detailed design and construction planning would seek to identify refinements that further avoid or minimise impacts on key fish habitat (KFH).	Compliant	Design and construction planning have incorporated measures to avoid or minimise impacts to key fish habitat where relevant.
20.	Fish passage would be maintained at watercourses identified as KFH within the Development Footprint. It is proposed that culverts would be installed to prevent blocking of fish passage where access roads cross watercourses.	Compliant	Culvert construction was completed during the reporting period, with fish passage maintained at watercourses identified as key fish habitat within the Development Footprint.
21.	Pre-clearance surveys would be carried out prior to construction by a suitability qualified ecologist including native aquatic fauna salvage in accordance with the farm dam dewatering policy. Any salvaged aquatic fauna would be relocated to similar habitat nearby.	Compliant	Suitably qualified ecologists attended culvert works during the reporting period. No dams were fully dewatered.
22.	Appropriate erosion and sediment control would be installed in accordance with the Erosion and Sediment Control Plan, around ground disturbance works conducted on waterfront land or within watercourses mapped as KFH.	Compliant	Erosion and sediment controls were installed and maintained in accordance with the ESCP for culvert upgrades and on-site ground disturbance works on waterfront land or within mapped key fish habitat.
23.	Exclusion areas established and maintained around riparian vegetation to be retained on waterfront land (40 metres from top of bank for watercourses with defined bed and banks (parts of Redlynch Creek and Rocky Creek).	Compliant	Exclusion zones were established and maintained around retained riparian vegetation at Redlynch Creek during the reporting period.
24.	Activities within vegetated riparian zones would be managed to minimise impacts to aquatic environments as far as practicable. Riparian areas subject to disturbance would be progressively stabilised and rehabilitated. The spread of exotic species would be minimized through implementation of the Weed and Pest Management Plan. *Note: The Weed and Pest Management Plan has been incorporated as Section 6.6 of this document.*	Compliant	Culvert works were completed during the reporting period, with riparian impacts minimised and disturbed areas progressively stabilised and rehabilitated. Works within Redlynch Creek did not commence during the reporting period.
25.	Instream works in areas mapped as KFH (i.e. Redlynch Creek, unnamed tributary of Poggy Creek and unnamed tributary of Rocky Creek) would be undertaken in dry conditions as far as practicable and appropriate erosion and sediment control would be installed and maintained. Watercourses impacted by instream works would have the bed and bank morphology reinstated, and disturbed areas would be stabilized using vegetation to minimize erosion in accordance with the BMP.	Compliant	Instream works for the culvert upgrades were undertaken in dry conditions where practicable, with disturbed beds and banks reinstated and stabilised. Works within Redlynch Creek did not commence during the reporting period.
26.	A species unexpected finds protocol would be implemented if threatened species, not assessed in the aquatic assessment, are identified in the Development Footprint. This would include stop work orders in the immediate area and notifying DPHI.	Not applicable	No unexpected threatened aquatic species were identified during the reporting period.

No.	Condition	Compliance Status	Evidence/Comments
27.	Refuelling would be conducted outside of waterfront land with appropriate measures in place to avoid impacts to waterways, aquatic habitats, and groundwater. This includes spill kits always kept with maintenance vehicles and or machinery within 100 metres of a watercourse.	Compliant	Refuelling was conducted outside of waterfront land, with spill kits available on site and appropriate controls implemented.
28.	Herbicides used to control exotic species within the Project Area would be applied in accordance with relevant application guidelines.	Compliant	Herbicides were applied in accordance with relevant guidelines and approved procedures.
29.	The BMP will include implementation of measures to minimise fauna strike, as follows: • Speed limits will be enforced on roads within the Project Area during construction and operation, to reduce the risk of fauna strikes. • Native fauna encountered along access tracks during construction and operation would be avoided and given an opportunity to move on.	Compliant	Speed limits were enforced within the Project Area, and fauna encountered on access tracks avoided where practicable.
30.	Sections of Redlynch Creek and the unnamed tributary of Rocky Creek containing bed and banks, are to be electronically mapped in order to identify Waterfront land. Waterfront land is measured as 40 m from the top of bank and any waterfront land disturbed is to be revegetated following completion of works.	Not applicable	Redlynch Creek and the unnamed tributary of Rocky Creek were electronically mapped during the previous reporting period to identify waterfront land.
31.	The Development Footprint will be marked out, with retained vegetation, important environmental features and everything outside to be identified as a 'No-go Zone'.	Compliant	The Development Footprint and no-go zones were marked using fencing and signage. The April 2026 encroachment involved use of an incorrect spatial layer by the contractor. Spatial files were reviewed and reissued, and affected areas were re-secured. Refer to Table 2-5.
32.	Identify if timing constraints for threatened species are applicable when undertaking this work, i.e., are the clearing activities occurring during the critical life cycle events (breeding or nursing times) for the threatened species that were identified or assumed as being present within the Development Footprint (see Section 4.9). If so, the procedures presented in Section 6.3.3, Section 6.3.6, Section 6.4 and Section 6.5 are to be known and implemented by those undertaking clearing activities.	Compliant	Timing constraints for threatened species were considered prior to clearing. Where constraints could not be met, relevant procedures were implemented.
33.	Prior to the commencement of clearing, the location of weeds and pathogens within the Project Area will be surveyed and mapped prior to or as part of pre-clearance surveys. The ecologist will use the survey as a basis to provide / confirm applicable weed (primary and secondary) and pathogen control methods.	Compliant	Weeds and pathogens were surveyed and mapped prior to clearing to inform appropriate control measures.
34.	Mowing, weed control, and removal of revegetating woody vegetation will occur under and around the solar farm infrastructure through operation and manage access, safety and bushfire risk. The height of vegetation under and around the solar infrastructure should be maintained to an average height of 15 cm, or as advised to be suitable for site conditions by a bushfire specialist.	Not applicable	The project was under construction during the reporting period and operational vegetation management had not commenced.

2.2 Clearing of Protected Matters

Vegetation clearing undertaken during the reporting period occurred within the approved Action Area – refer to **Table 2-4** and **Figure 2-1**. Clearing limits for all protected matters specified under Condition 2 of the EPBC Approval were not exceeded during the reporting period. All clearing to date remains under the approved limits, with 3% of Box Gum Woodland approved for impacts still retained and almost of 30% of Painted Honeyeater habitat approved for impacts remaining in situ.

Table 2-4 Clearing summary

Protected Matter / Habitat	Approved limit (ha)	Cleared during reporting period (ha)	Cumulative cleared to date (ha)	Comparison with approved limit (ha)
Box Gum Woodland	494.43	359.75	**479.80**	14.63
Regent Honeyeater Habitat	42.46	27.45	**40.01**	2.45
Painted Honeyeater Habitat	22.49	10.35	**16.15**	6.34

All clearing works for the road upgrades were completed within the previous reporting period.

The spatial dataset (shapefile) showing all clearing of protected matters and their habitat undertaken during the reporting period has been prepared in accordance with the EPBC Act spatial data requirements and is provided with this report in accordance with approval conditions.

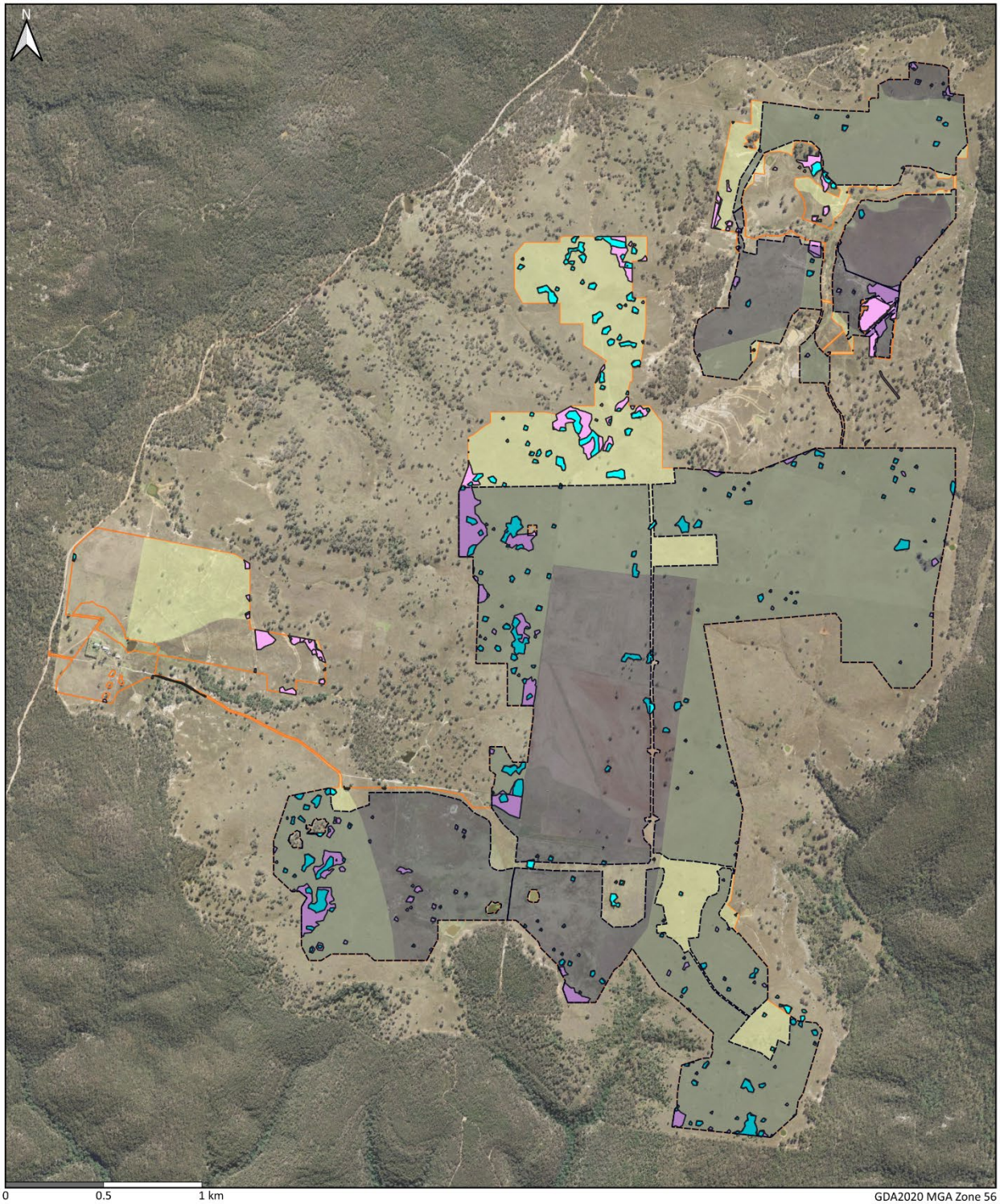


FIGURE 2.1

Clearing Works 2025-2026

Source: State of New South Wales (Spatial Services, Department of customer service NSW), Umwelt spatial data 2024, DTI clearing data 2026 | October 2026

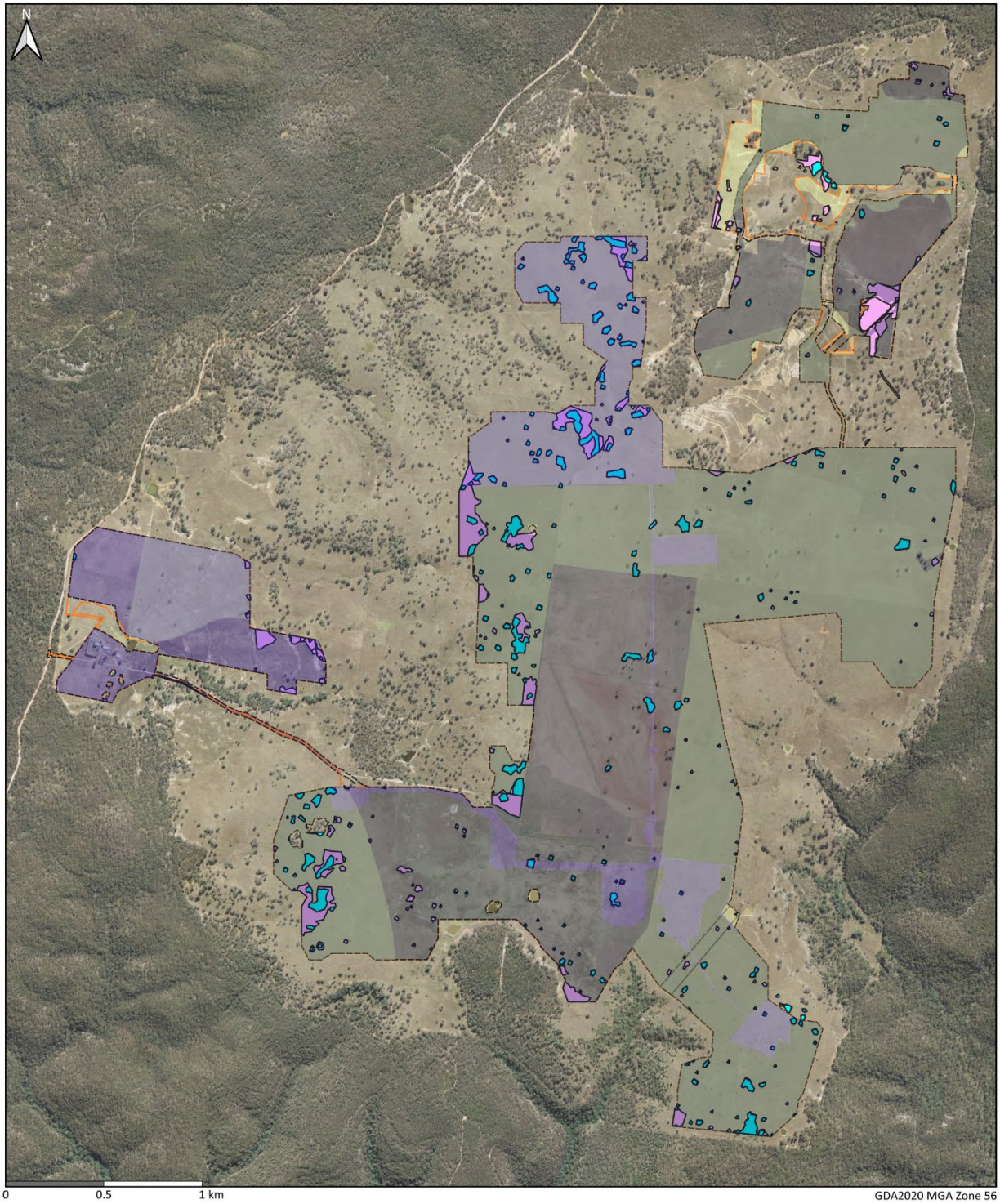


FIGURE 2.2

Total clearing works undertaken

Source: State of New South Wales (Spatial Services, Department of customer service NSW), Umwelt spatial data 2024, DTI clearing data 2026 | October 2026

2.3 Offsets

Biodiversity credits required under the NSW development consent were retired in accordance with Conditions B14 and B15 of SSD-33964533, as required by Conditions 6 and 7 of the EPBC Approval.

Evidence of credit retirement was submitted to DCCEEW in the previous reporting period. No further offsets were required.

2.4 Incidents and Non-Compliance

- One environmental incident was identified during the reporting period.
- Three administrative non-compliances arising from the same delay in meeting the 2024–25 reporting requirements are included in this 2025-26 report. These were previously disclosed and self-reported in the 2024–25 ACR and are recorded here as the deadlines fell within the current reporting period.

Details of the incident and non-compliances along with associated corrective actions are provided in **Table 2-5**.

Table 2-5 Incident summary

ID	Date of Incident	Notification to DCCEEW	Location of Incident	Condition Breached	Description	Corrective Actions
I-01	05-04-26	08-04-26	Two areas along access track MC-60 to Stage 4	1	Clearing and placement of fill outside the approved Action Area, associated with the contractor using an incorrect shapefile layer to identify the boundary. Potential impacts involved approximately 0.0181 ha of moderate to low condition derived native grassland (PCT 483), identified as Box Gum Woodland. Condition 2 clearing limits were not exceeded.	- Earthworks in the vicinity ceased. - Affected areas were surveyed and re-secured with flagging and pegging. - Stripped topsoil was respread and sediment controls installed. - Spatial files were reviewed, verified and reissued. - Disturbance limits were reinforced with personnel and contractors. - An ecologist was engaged to assess impacts and rehabilitation requirements, and an investigation commenced into the cause and contributing factors.
NC-01	14-01-26	15-01-26	Not applicable - administrative non-compliance	21	Submission and publication deadlines for the 2024–25 ACR and associated data were incorrectly calculated from the commencement of the Action on 7 Feb 2025 rather than the 7 October 2024 approval anniversary. As a result, required data was submitted late, and the ACR and clearing shapefile were not published or publicly available by the correct anniversary date. These missed deadlines were previously disclosed in the 2024–25 ACR.	- Preparation and submission of the ACR and associated data were prioritised. - The ACR and clearing shapefile were published on 20 February 2026 and remained publicly available thereafter. - Compliance tracking systems, calendar triggers and staff guidance were updated to reflect the correct reporting dates and deadlines.
NC-02	14-01-26	15-01-26	Not applicable - administrative non-compliance	25		
NC-03	14-01-26	15-01-26	Not applicable - administrative non-compliance	28		

3 New Environmental Risks

Follow-up investigations continued for the earless dragon identified at Bow River on Ringwood Road on 5 October 2025, immediately before this reporting period. Relevant agencies were notified on 8 October 2025.

On 31 March 2026, DTI advised that formal genetic analysis assigned the specimen to the *Tympanocryptis tetraporophora* / *Tympanocryptis darlingensis* lineage, confirming it was not a Bathurst earless dragon (*Tympanocryptis mccartneyi*).

4 Publication and Declaration

This Annual Compliance Report and associated data will be published on the project website during the week commencing November 2nd 2026 at https://lightsourcebp.com/au/project/goulburn-river-solar/.

No sensitive biodiversity data requiring redaction was identified in the version published for this ACR period.

Appendix A – EPBC Approval

Australian Government
Department of Climate Change, Energy, the Environment and Water

Variation of conditions attached to approval

Goulburn River Solar Farm, Merriwa, NSW (EPBC ref 2021/9102)

This decision to vary conditions of approval is made under section 143 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

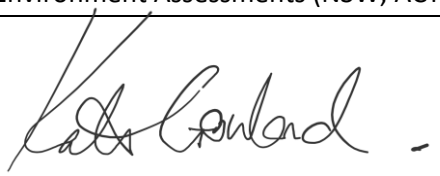
Approved action

approval holder	Lightsource Development Services Australia Pty Ltd ACN: 623 301 799
approved action	The construction, operation, and decommissioning of a large-scale solar farm and Battery Energy Storage System including road upgrade works, 28 km south-west of Merriwa, NSW, as varied by the variation request dated 6 February 2024 [EPBC Act referral 2021/9102].
period for which the approval has effect	This approval has effect until 10 January 2074.

Variation

variation of conditions attached to approval	The variation is: Delete the definition of **Retire**, **Retired, Retiring** attached to the approval and substitute with the definition specified in the table below.
date of effect	This variation has effect on the date this instrument is signed.

Person authorised to make decision

name and position	Kate Gowland Branch Head Environment Assessments (NSW, ACT)
signature	
date of decision	30 April 2025

date of decision	Part A – Avoidance, mitigation, and compensation conditions
	CLEARING LIMITS
Original dated 7/10/2024	1) The approval holder must not: a) **clear** outside of the **Action area** b) **construct** outside of the **Action area**.
Original dated 7/10/2024	2) To avoid and mitigate impacts to **protected matters** as a result of the Action, the approval holder must not **clear** more than: a) 494.43 hectares (ha) of **Box Gum Woodland** b) 42.46 ha of **Regent Honeyeater habitat** c) 22.49 ha of **Painted Honeyeater habitat.** Note: Attachment A contains the figures showing where the impacts to protected matters will occur.
Original dated 7/10/2024	3) If the approval holder detects the presence, where likely to be affected by the Action, of any **protected matter** or the habitat of any **protected matter** not previously reported to the **department** as part of the referral of this Action or in accordance with this condition, the approval holder must notify the **department** in writing of the presence and likely extent of any **protected matter** or the habitat of any **protected matter** not previously reported to the **department** within 10 **business days** of detecting the presence of any **protected matter** or the habitat of any **protected matter** not previously reported to the **department**.
	BIODIVERSITY MANAGEMENT PLAN
Original dated 7/10/2024	4) To avoid and mitigate impacts on **protected matters** as a result of the Action, the approval holder must comply with condition B16 of the **NSW Approval**, to the extent that it relates to **protected matters**.
Original dated 7/10/2024	5) The approval holder must implement the Biodiversity Management Plan required by condition B16 of the **NSW Approval**, as approved by the **NSW Planning Secretary**, prior to the **commencement of the Action** and continue to implement the Biodiversity Management Plan required by condition B16 of the **NSW Approval**, as approved by the **NSW Planning Secretary**, until the **completion of the Action**.
	OFFSETS
Original dated 7/10/2024	6) To compensate for impacts to **protected matters** as a result of the Action, the approval holder must comply with conditions B14 and B15 of the **NSW Approval**, to the extent that they relate to **protected matters**.

Original dated 7/10/2024	7) Within 20 **business days** of **retiring** the **biodiversity credits** as required by condition 6, the approval holder must submit evidence to the **department** demonstrating that the **biodiversity credits** have been retired in accordance with the **NSW Approval**.
date of decision	**Part B – Administrative conditions**
	REVISION OF ACTION MANAGEMENT PLANS
Original dated 7/10/2024	8) The approval holder must notify the **department** within 2 days of submitting any request to have a revised version of a **plan** approved by the **NSW Planning Secretary**. In this notification, the approval holder must provide the revised version of the **plan** to the **department** and specify the proposed changes. If a revised version of a **plan** is approved by the **NSW Planning Secretary**, within 5 days of the revised **plan** being approved by the **NSW Planning Secretary**, the approval holder must provide the **department** with: a) the version of the revised **plan** approved by the **NSW Planning Secretary**, b) details of the comparison between the previous and most recently approved versions of the **plan**, describing all changes, and c) a detailed discussion describing any changes to the **harm**, including impacts, to **protected matters** which will, or will likely, occur as a result of implementing the version of the revised **plan** approved by the **NSW Planning Secretary**. **Note:** Condition 8 is not intended to limit the operation of section 143A of the **EPBC Act** which allows the approval holder to submit a revised action management plan, at any time, to the **Minister** for approval.
	SUBMISSION AND PUBLICATION OF PLANS
Original dated 7/10/2024	9) The approval holder must submit all **plans** required by these conditions electronically to the **department**. This includes **plans** required under any conditions of the **NSW Approval** that are specified in these conditions.
Original dated 7/10/2024	10) Unless otherwise agreed to in writing by the **Minister**, the approval holder must publish each **plan** on the **website** within 15 **business days** of the date the **plan** is approved by the **Minister** or by the **NSW Planning Secretary** as required under **NSW Approval** conditions which must be complied with in accordance with these **EPBC Act** approval conditions.
Original dated 7/10/2024	11) The approval holder must keep all **plans** required by these conditions published on the **website** until the expiry date of this approval

Original dated 7/10/2024	12) The approval holder is required to exclude or redact **sensitive biodiversity data** from **plans** published on the **website** or otherwise provided to a member of the public. If **sensitive biodiversity data** is excluded or redacted from a **plan**, the approval holder must notify the **department** in writing what exclusions and redactions have been made in the version published on the **website**.
	MODIFICATIONS TO STATE OR TERRITORY APPROVAL
Original dated 7/10/2024	13) The approval holder must notify the **department** in writing of any proposed change to the **NSW Approval** that may relate to **protected matters** within 2 **business days** of formally proposing such a change and within 5 **business days** of becoming aware of any proposed change.
Original dated 7/10/2024	14) The approval holder must notify the **department** in writing of any change to the **NSW Approval** conditions that may relate to **protected matters**, within 5 **business days** of such a change to conditions coming into effect. Such notification must include a copy of the changed **NSW Approval** conditions showing what changes have been made.
	COMMENCEMENT OF THE ACTION
Original dated 7/10/2024	15) The approval holder must notify the **department** electronically of the date of **commencement of the Action**, within 5 **business days** following **commencement of the Action**.
Original dated 7/10/2024	16) The approval holder must not **commence the Action** later than 5 years after the date of this approval decision.
	COMPLIANCE RECORDS
Original dated 7/10/2024	17) The approval holder must maintain accurate and complete **compliance records** and document the procedure for recording and storing **compliance records**.
Original dated 7/10/2024	18) If the **department** makes a request in writing, the approval holder must provide electronic copies of **compliance records** to the **department** within the timeframe specified in the request. **Note: Compliance records** may be subject to audit by the **department**, or by an **independent auditor** in accordance with section 458 of the **EPBC Act**, and/or be used to verify compliance with the conditions. Summaries of the results of an audit may be published on the **department's website** or through the general media
Original dated 7/10/2024	19) The approval holder must ensure that any **monitoring data**, surveys, maps, and other spatial and metadata required under the conditions of this approval are prepared in accordance with the *Guidelines for biological survey and mapped data*, Commonwealth of Australia 2018, or as otherwise specified by the **Minister** in writing.

Original dated 7/10/2024	20) The approval holder must ensure that any **monitoring data**, surveys, maps, and other spatial and metadata required under the conditions of this approval are prepared in accordance with the *Guide to providing maps and boundary data for EPBC Act projects*, Commonwealth of Australia 2021, or as otherwise specified by the **Minister** in writing.
Original dated 7/10/2024	21) The approval holder must submit all **monitoring data**, surveys, maps, other spatial and metadata and all species occurrence record data (sightings and evidence of presence) electronically to the **department** within 20 **business days** of the next anniversary of the date of this approval decision except where otherwise specified in a **plan**.
	ANNUAL COMPLIANCE REPORTING
Original dated 7/10/2024	22) The approval holder must prepare a **compliance report** for each **Annual Compliance Report period** (**ACR period**).
Original dated 7/10/2024	23) The approval holder must ensure each **compliance report** includes: a) accurate and complete details of compliance and any non-compliance with: i) each condition imposed under the **NSW Approva**l, if a condition attached to this approval decision requires compliance with that **NSW Approval** condition, ii) each condition attached to this approval decision, and iii) all commitments made in each **plan,** b) a schedule of all **plans** in effect in relation to these conditions during the **ACR period,** c) accurate and complete details of how each **plan** was implemented during the **ACR period,** and d) if any **incident** occurred, accurate and complete details of each **incident.**
Original dated 7/10/2024	24) The approval holder must ensure each **compliance report** is completed to the satisfaction of the **Minister** and is consistent with the *Annual Compliance Report Guidelines*, Commonwealth of Australia 2023.

Original dated 7/10/2024	25) The approval holder must, within 20 **business days** following the end of each **ACR period,** in a format that is easily accessible and downloadable, publish on the **website:** a) each **compliance report,** and b) a **shapefile** showing all **clearing of protected matters**, and their habitat, undertaken within the **ACR period**.
Original dated 7/10/2024	26) The approval holder must: a) Exclude or redact **sensitive biodiversity data** from each **compliance report** and **shapefile** published on the **website** or otherwise provided to a member of the public. b) If **sensitive biodiversity data** is excluded or redacted from a version of a **compliance report** published or otherwise provided to a member of the public, submit the full **compliance report** to the **department** within 5 **business days** of its publication on the **website** and notify the **department** in writing what exclusions and redactions have been made in the version published on the **website** or otherwise provided to a member of the public. c) If **sensitive biodiversity data** is excluded or redacted from a version of a **shapefile** published or otherwise provided to a member of the public, submit the full **shapefile** to the **department** within 5 **business days** of its publication on the **website** and notify the **department** in writing what exclusions and redactions have been made in the version published on the **website** or otherwise provided to a member of the public.
Original dated 7/10/2024	27) The approval holder must notify the **department** electronically, within 5 **business days** of each date of publication that the **compliance report** has been published on the **website**. In this notification, the approval holder must provide the **department** with the web address for where the **compliance report** and related **shapefile** are published on the **website**.
Original dated 7/10/2024	28) The approval holder must keep each **compliance report** and related **shapefile** published on the **website** from the first date which that **compliance report** must be published and until the expiry date of this approval. **Note: Compliance reports** may be published on the **department's website**

	REPORTING NON-COMPLIANCE
Original dated 7/10/2024	29) The approval holder must notify the **department** electronically, within 2 **business days** of becoming aware of any **incident**. The approval holder must specify in each notification: a) any condition or commitment made in a **plan** which has not been, or may have not been, complied with, b) a short description of the **incident**, and c) the location (if applicable, including co-ordinates), date and time of the **incident**.
Original dated 7/10/2024	30) The approval holder must provide to the **department** in writing, within 12 **business days** of becoming aware of an **incident**, the details of that **incident**. The approval holder must specify: a) all corrective measures and investigations which the approval holder has already taken in respect of the **incident**, b) the potential impacts of the **incident**, c) the method and timing of any corrective measures that the approval holder proposes to undertake to address the **incident**, and d) any variation of these conditions or revision of a **plan** that will be required to prevent recurrence of the **incident** and/or to address its consequences.
	INDEPENDENT AUDIT
Original dated 7/10/2024	31) The approval holder must ensure that an **independent audit** of compliance with the conditions is conducted for every **audit period**.
Original dated 7/10/2024	32) The approval holder must submit details of the proposed **independent auditor** and their qualifications to the **department** within 10 **business days** following the end of each **audit period**.
Original dated 7/10/2024	33) The approval holder must ensure the scope of each **independent audit** is sufficient to determine the compliance status for each condition of approval, and each commitment made in each **plan**.
Original dated 7/10/2024	34) The approval holder must ensure the criteria for each **independent audit** and the undertaking of each **independent audit** are consistent with the **Independent Audit and Audit Report Guidelines.**

Original dated 7/10/2024	35) The approval holder must submit an **audit report** to the **department** for written agreement from the **department** within 3 months following the end of each **audit period**, or as otherwise directed by the **Minister** in writing.
Original dated 7/10/2024	36) The approval holder must ensure each **audit report** is completed to the satisfaction of the **Minister** and is consistent with the **Independent Audit and Audit Report Guidelines**.
Original dated 7/10/2024	37) The approval holder must publish each **audit report** on the **website**, in a format that is easily accessible and downloadable, within 10 **business days** of the date the **department** agrees to that **audit report** in writing.
Original dated 7/10/2024	38) The approval holder must notify the **department** within 5 **business days** of the date the **audit report** is published on the **website**. In this notification, the approval holder must provide the **department** with the web address for where the **audit report** is published on the **website**.
Original dated 7/10/2024	39) The approval holder must keep each **audit report** published on the **website** from the first date which that **audit report** must be published and until the expiry date of this approval.
	COMPLETION OF THE ACTION
Original dated 7/10/2024	40) Within 20 **business days** after the **completion of the Action**, and, in any event, at least 20 **business days** before this approval expires, the approval holder must notify the **department** electronically of the date of **completion of the Action** and provide **completion data**. The approval holder must submit any spatial data that comprises **completion data** as a **shapefile**.
Original dated 7/10/2024	41) The approval holder must notify the **department** electronically 60 **business days** prior to the expiry date of this approval, that the approval is due to expire. **Note:** Section 145C of the **EPBC Act** entitles the approval holder to request an extension to the period of effect of this approval.

date of decision	definitions attached to approval
Words and terms appearing in bold (excluding headings) have the meaning assigned to them in the list below:	
Original dated 7/10/2024	**Action area** or **development footprint** means the location of the Action, represented in - Attachment A by the zone enclosed by the black line designated 'Development Footprint / Action Area', excluding the green shaded area titled 'Retained / Impact Avoidance Areas' (i.e. the Solar Farm action area), and - Attachment B, Attachment C, and Attachment D by the zone enclosed by the red line designated 'Development Footprint' (i.e. the Road Upgrade action area).
Original dated 7/10/2024	**Annual Compliance Report period** or **ACR period** means each subsequent 12-month period following the date of this approval decision until the expiry date of this approval, unless otherwise specified in writing by the **Minister**.
Original dated 7/10/2024	**Audit period** means each subsequent five-year period following the **commencement of the Action** until the expiry date of this approval unless otherwise specified in writing by the **Minister**.
Original dated 7/10/2024	**Audit report** means a written report of an **independent audit**.
Original dated 7/10/2024	**Biodiversity credits** means the unit of measure for offsets in accordance with the Biodiversity Offsets Scheme under the *Biodiversity Conservation Act 2016* (NSW).
Original dated 7/10/2024	**Biodiversity data** means 'biodiversity data' as described in the *Policy on Accessing and Sharing Biodiversity Data*, Commonwealth of Australia 2024.

Original dated 7/10/2024	**Box Gum Woodland** means the **EPBC Act** listed ecological community White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland. The location of **Box Gum Woodland** identified within the **Action area** is represented in the maps at: – Attachment E by the black hatching designated 'White Box - Yellow Box - Blakely's Red Gum Grassy Woodland and Derived Native Grassland VEC - EPBC Act', and – Attachment H by the yellow polygons designated 'Extent of EPBC Act listed White box – Yellow box – Blakely's Red Gum Woodland'.
Original dated 7/10/2024	**Business day/s** means a day that is not a Saturday, a Sunday, or a public holiday in New South Wales.
Original dated 7/10/2024	**Clear**, **cleared** or **clearing** means the cutting down, felling, thinning, logging, removing, killing, destroying, poisoning, ringbarking, uprooting, or burning of vegetation, not including any weed or fire management specified in a **plan**.
Original dated 7/10/2024	**Commence the Action** or **commences the Action** means the first instance of any on-site **clearing**, **construction** or other physical activity associated with the Action, but does not include minor physical disturbance necessary to: – Undertake pre-clearance surveys or monitoring programs, including building/road dilapidation surveys, artefact survey and/or salvage, and overhead line safety marking. – Install signage and/or fencing, so long as the signage and/or fencing is located where it does not **harm** any **protected matter**. – Protect environmental and property assets from fire, weeds, and feral animals, including use of existing surface access tracks. – Install temporary site facilities for persons undertaking pre-commencement activities so long as these facilities are located where they do not **harm** any **protected matter**. – Undertake soil sampling or geotechnical investigations provided these cause only minor physical disturbance, will not **harm** any **protected matter** and are required in advance of commencement of site works.
Original dated 7/10/2024	**Commencement of the Action** means the date on which the approval holder **commences the Action**.

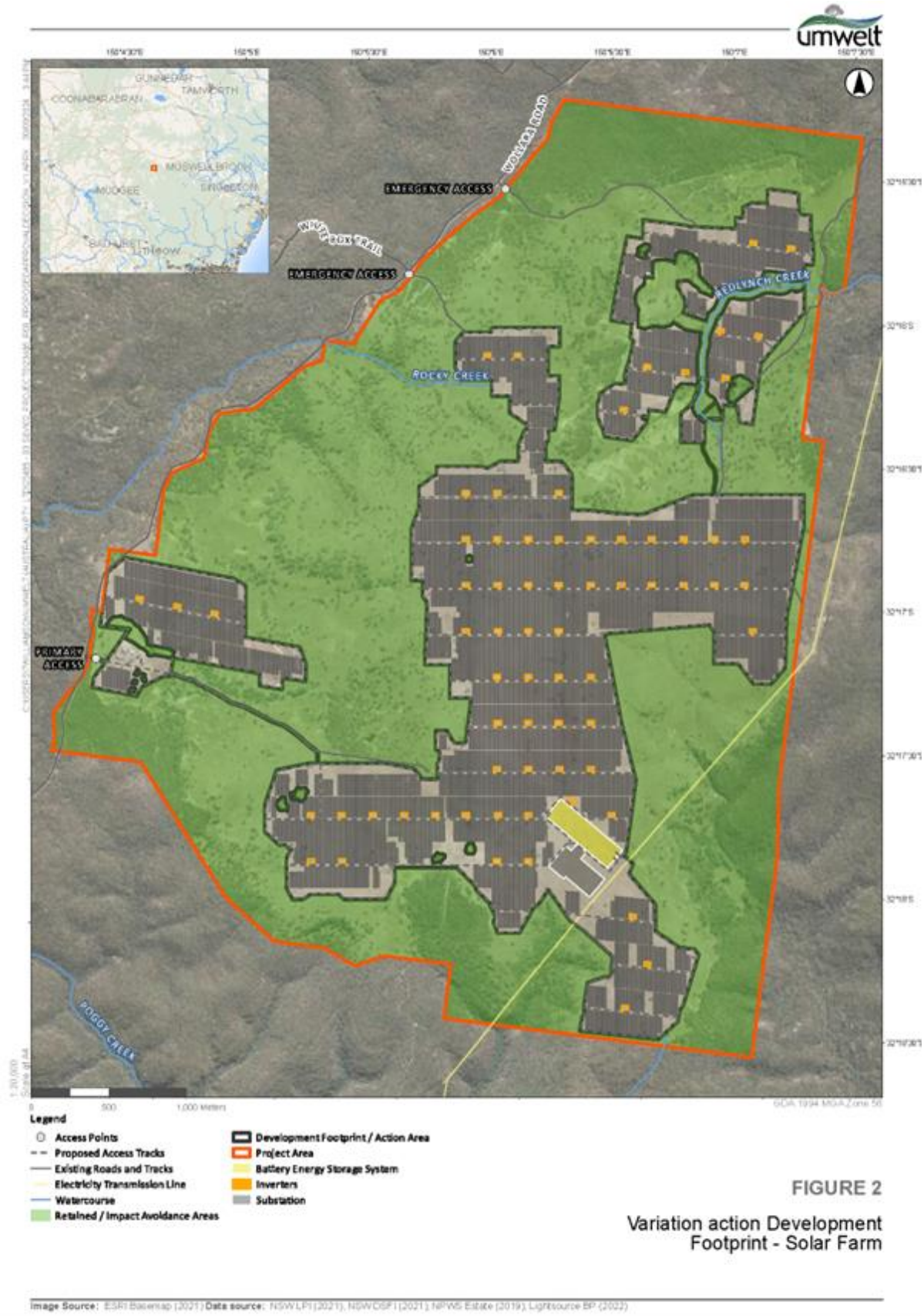
Original dated 7/10/2024	**Completion data** means an environmental report and spatial data clearly detailing how the conditions of this approval have been met
Original dated 7/10/2024	**Completion of the Action** means the date on which all activities associated with the approved Action have permanently ceased and/or been completed.
Original dated 7/10/2024	**Compliance records** means all documentation or other material in whatever form required to demonstrate compliance with these conditions of approval (including compliance with commitments made in **plans**) in the approval holder's possession, or that are within the approval holder's power to obtain lawfully.
Original dated 7/10/2024	**Compliance report** means a written report of compliance with, and fulfilment of, these conditions (including compliance with commitments made in **plans**).
Original dated 7/10/2024	**Construct, Construction** means: – the erection of a building or structure that is, or is to be, fixed to the ground and wholly or partially fabricated on-site, – the alteration, maintenance, repair or demolition of any building or structure, – any work which involves breaking of the ground (including pile driving) or bulk earthworks, – the laying of pipes and other prefabricated materials in the ground, and – any associated excavation work.
Original dated 7/10/2024	**Construction** does not include the installation of fences or signage, or the exclusions listed for the definition of **Commence the Action**.
Original dated 7/10/2024	**Department** means the Australian Government agency responsible for administering the **EPBC Act**.
Original dated 7/10/2024	**EPBC Act** means the *Environment Protection and Biodiversity Conservation Act 1999* (Cth).
Original dated 7/10/2024	**Harm** means to cause any measurable direct or indirect disturbance or deleterious change as a result of any activity associated with the Action.

Original dated 7/10/2024	**Incident** means any: – event which has the potential to, or does, **harm** any **protected matter**, – potential non-compliance with these conditions, including the administrative requirements, – actual non-compliance with these conditions, including the administrative requirements, – potential non-compliance with one or more commitment made in a **plan**, and/or – actual non-compliance with one or more commitment made in a **plan**.
Original dated 7/10/2024	**Independent audit** means an audit, conducted by an **independent auditor**, of compliance with and fulfilment of these conditions and the commitments made in **plans**, objectively evaluated against the audit criteria developed by the **independent auditor**, in accordance with the **Independent Audit and Audit Report Guidelines**.
Original dated 7/10/2024	**Independent Audit and Audit Report Guidelines** means the *Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines*, Commonwealth of Australia 2019.
Original dated 7/10/2024	**Independent auditor** means a person, or firm, who: – does not have any individual, financial*, employment* or family affiliation or any conflicting interests with the Action, the approval holder or the approval holder's staff, representatives, or associated persons, – has demonstrated experience in undertaking government-regulated environmental compliance audits, and – holds relevant professional qualifications and accreditations. *Other than for the purpose of undertaking the role for which an independent person, or firm, is required.
Original dated 7/10/2024	**Minister** means the Australian Government Minister administering the **EPBC Act**, including any delegate thereof.
Original dated 7/10/2024	**Monitoring data** means the data required to be recorded under the conditions of this approval, including **sensitive biodiversity data**.

Original dated 7/10/2024	**NSW Approval** means the development consent granted for the Goulburn River Solar Farm Project (SSD-33964533) by the **NSW Planning Secretary** under section 4.39 of the *Environmental Planning and Assessment Act* 1979 (NSW) on 22 August 2024. At the time of this approval, the **NSW Approval** can be accessed on the NSW Major Projects website via the following webpage address: www.planningportal.nsw.gov.au/major-projects/projects/goulburn-river-solar-farm.
Original dated 7/10/2024	**NSW Planning Secretary** means the Planning Secretary as defined in the **NSW Approval.**
Original dated 7/10/2024	**Painted Honeyeater** means the **EPBC Act** listed threatened species *Grantiella picta*.
Original dated 7/10/2024	**Painted Honeyeater habitat** means any area which provides habitat for the **Painted Honeyeater**. Within the **Action area**, the extent of **Painted Honeyeater habitat** identified at the time of this approval is represented in Attachment G by the zones shaded dark green designated 'PCT 483 – Grey Box x White Box grassy open woodland on basalt hills in the Merriwa region, upper Hunter Valley – Scattered Trees'.
Original dated 7/10/2024	**Plan** means any action management plan or strategy that the approval holder is required by these conditions to implement.
Original dated 7/10/2024	**Protected matter/s** means a matter protected under a controlling provision in Part 3 of the **EPBC Act** for which this approval has effect.
Original dated 7/10/2024	**Regent Honeyeater** means the **EPBC Act** listed threatened species *Anthochaera phrygia*.
Original dated 7/10/2024	**Regent Honeyeater habitat** means any area which provides habitat for the **Regent Honeyeater**. Within the **Action area**, the extent of **Regent Honeyeater habitat** identified is represented in the maps at – Attachment F by the zones shaded with black hatching designated 'Regent Honeyeater Species Polygon', and – Attachment I by the zones shaded green designated 'Regent Honeyeater Species Polygon'.
As varied on the date this instrument was signed	**Retire, Retired, Retiring** means to retire **biodiversity credits** in accordance with the Biodiversity Offset Scheme under the Biodiversity Conservation Act 2016 (NSW).

Original dated 7/10/2024	**Sensitive biodiversity data** means **biodiversity data** which, if released, published or otherwise exposed, may result in **harm** to the relevant **protected matter** as a result of the intentional or unintentional misuse of that **biodiversity data**.
Original dated 7/10/2024	**Shapefile** means location and attribute information about the Action provided in an Esri shapefile format containing: – '.shp', '.shx', '.dbf' files, – a '.prj' file which specifies the projection or geographic coordinate system used, and – an '.xml' metadata file that describes the shapefile for discovery and identification purposes.
Original dated 7/10/2024	**Website** means a set of related web pages located under a single domain name attributed to the approval holder and available to the public.

date of decision	Attachments
Original dated 7/10/2024	**Attachment A: Solar Farm Action Area**



Original dated 7/10/2024 **B1: Road Upgrade action area (1 of 9)**

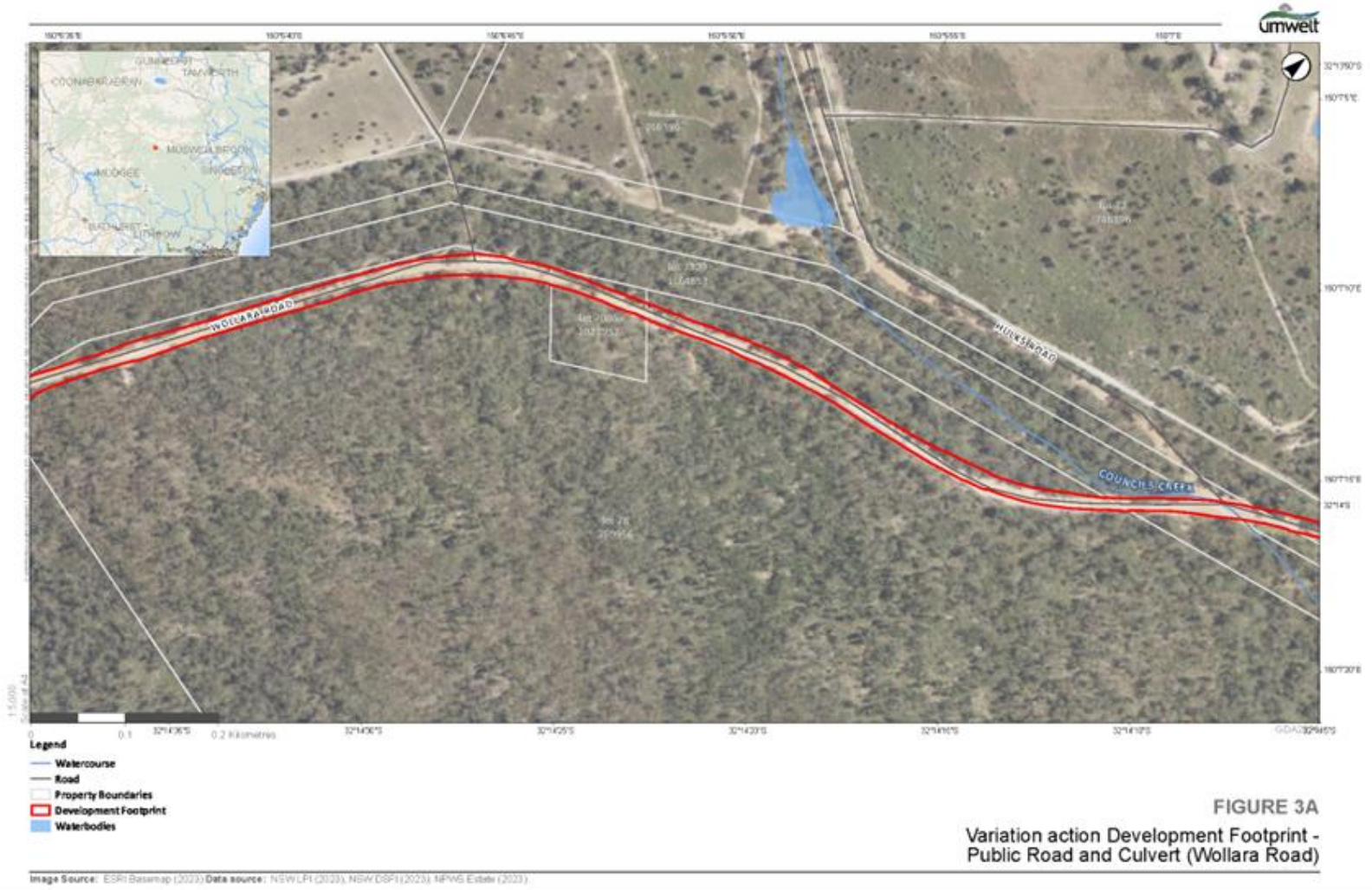


FIGURE 3A
Variation action Development Footprint - Public Road and Culvert (Wollara Road)

Original dated 7/10/2024 **B2: Road Upgrade action area (2 of 9)**

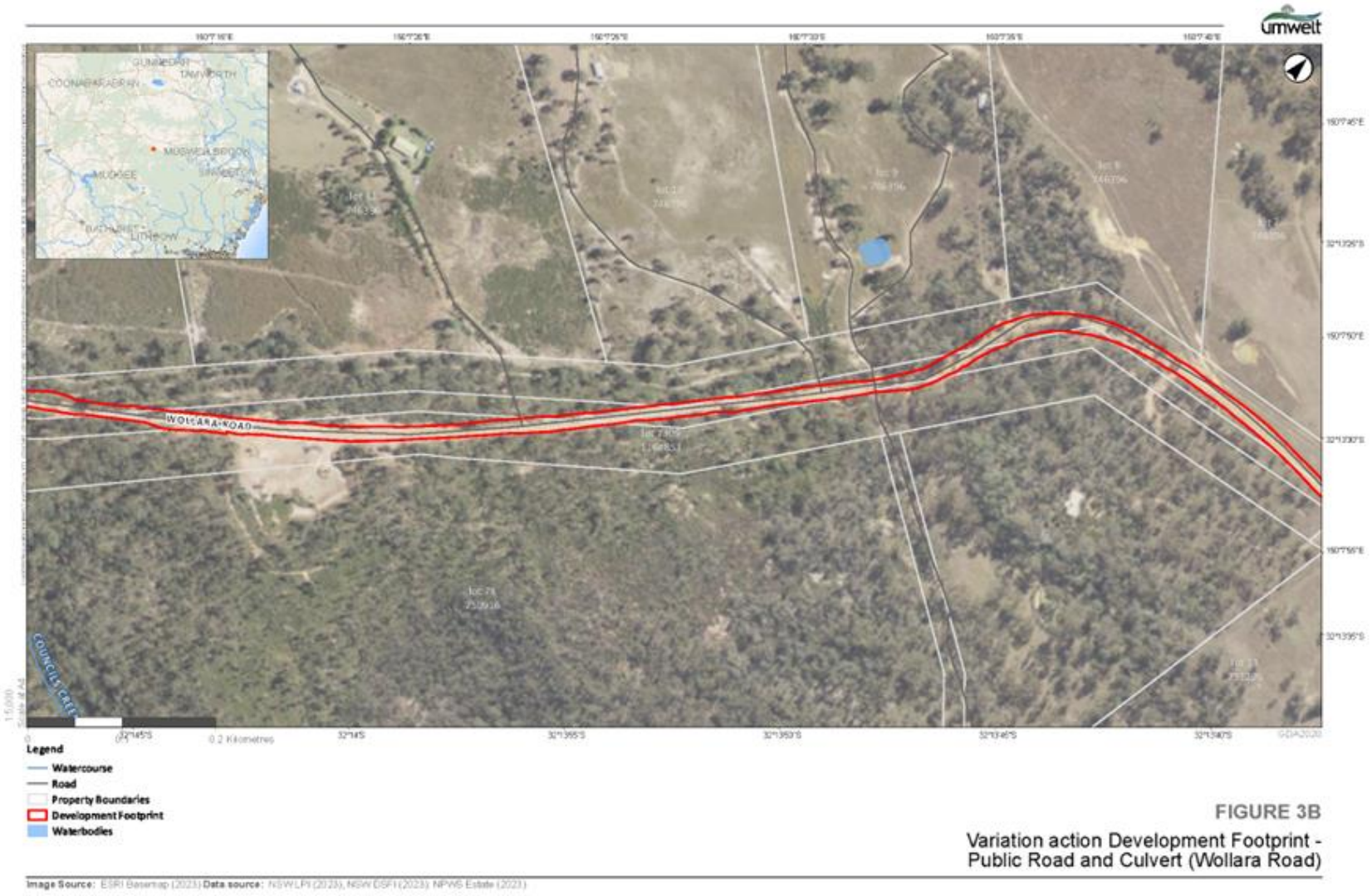


FIGURE 3B
Variation action Development Footprint - Public Road and Culvert (Wollara Road)

Original dated 7/10/2024 **B3: Road Upgrade action area (3 of 9)**

FIGURE 3C
Variation action Development Footprint - Public Road and Culvert (Wollara Road)

Original dated 7/10/2024 **B4: Road Upgrade action area (4 of 9)**

FIGURE 3D
Variation action Development Footprint - Public Road and Culvert (Wollara Road)

Original dated 7/10/2024 **C1: Road Upgrade action area (5 of 9)**

FIGURE 4A
Variation action Development Footprint - Public Road and Culvert (Bow Road to Bink Road)

Original dated 7/10/2024 **C2: Road Upgrade action area (6 of 9)**

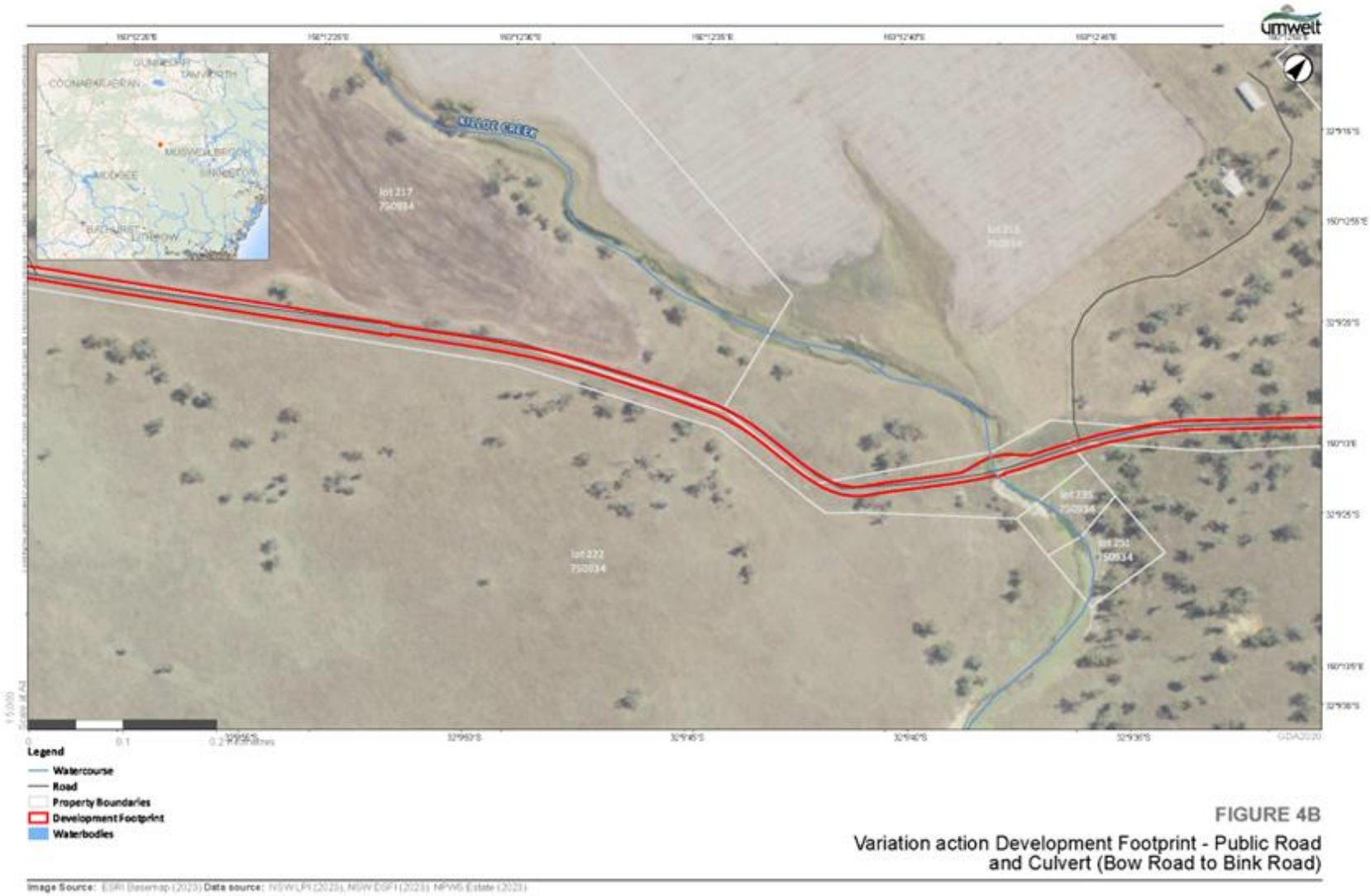


FIGURE 4B
Variation action Development Footprint - Public Road and Culvert (Bow Road to Bink Road)

Original dated 7/10/2024 **C3: Road Upgrade action area (7 of 9)**

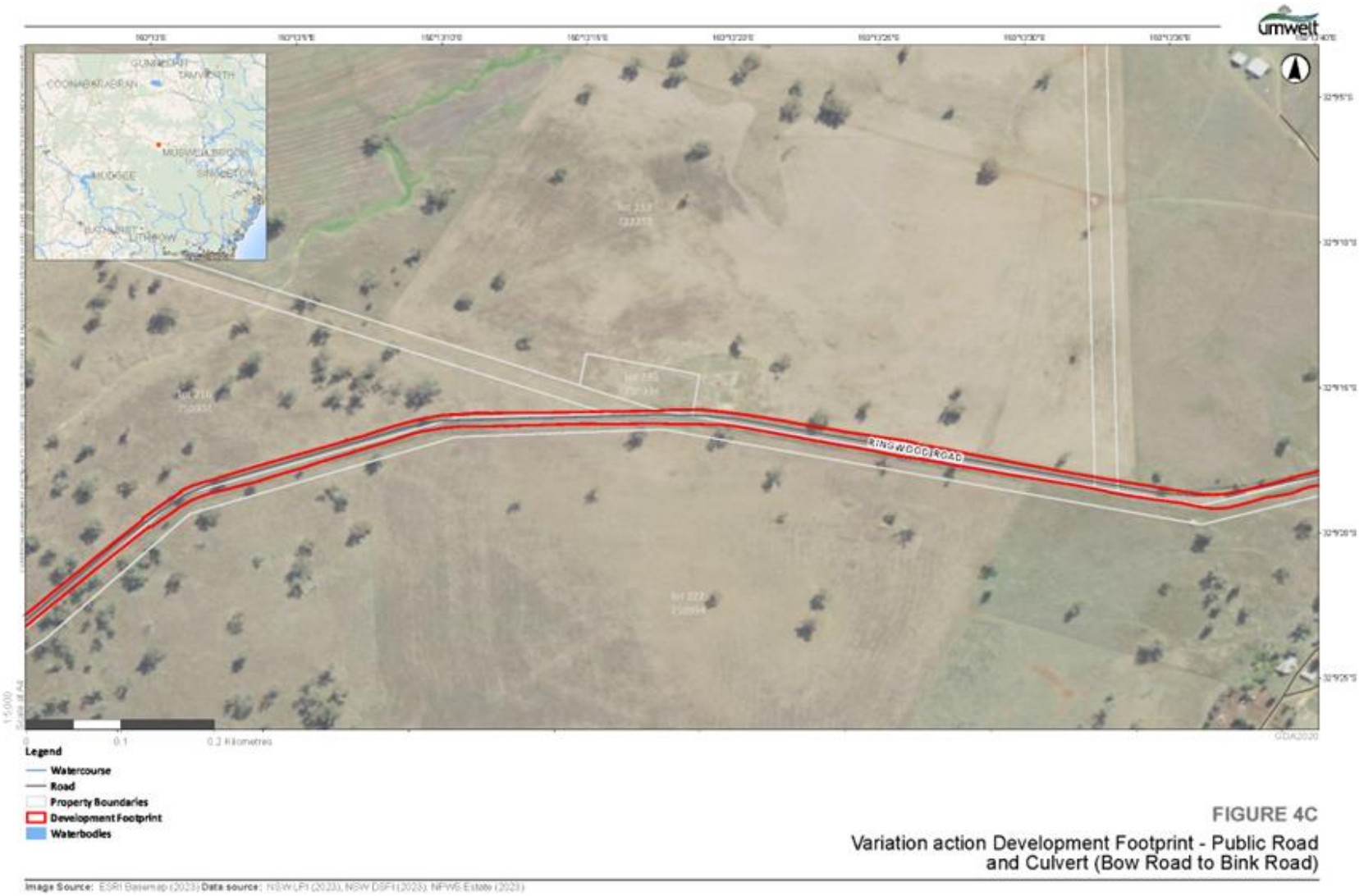


FIGURE 4C
Variation action Development Footprint - Public Road and Culvert (Bow Road to Bink Road)

Original dated 7/10/2024 **C4: Road Upgrade action area (8 of 9)**

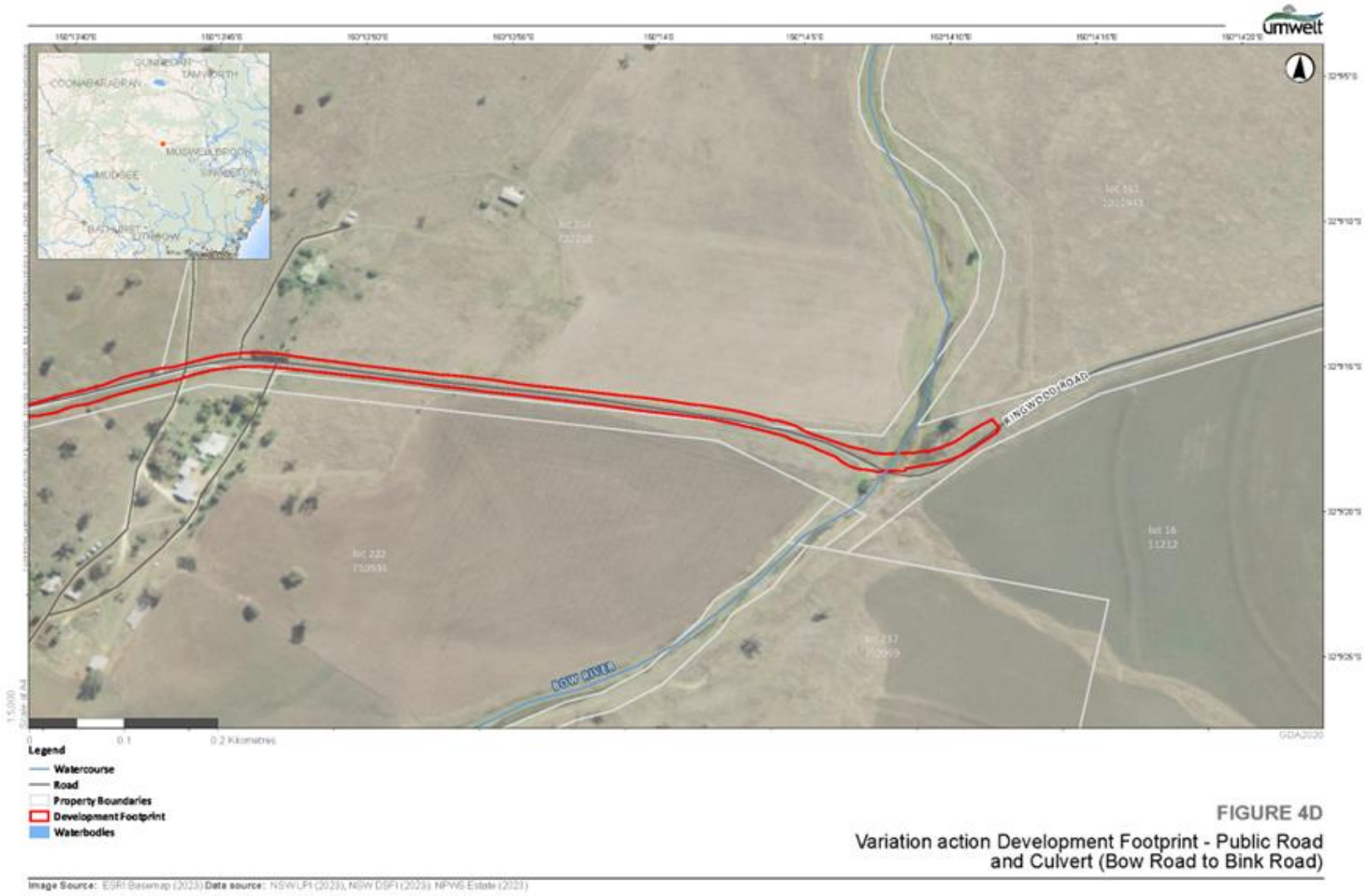


FIGURE 4D
Variation action Development Footprint - Public Road and Culvert (Bow Road to Bink Road)

Original dated 7/10/2024 **D9: Road Upgrade action area (9 of 9)**

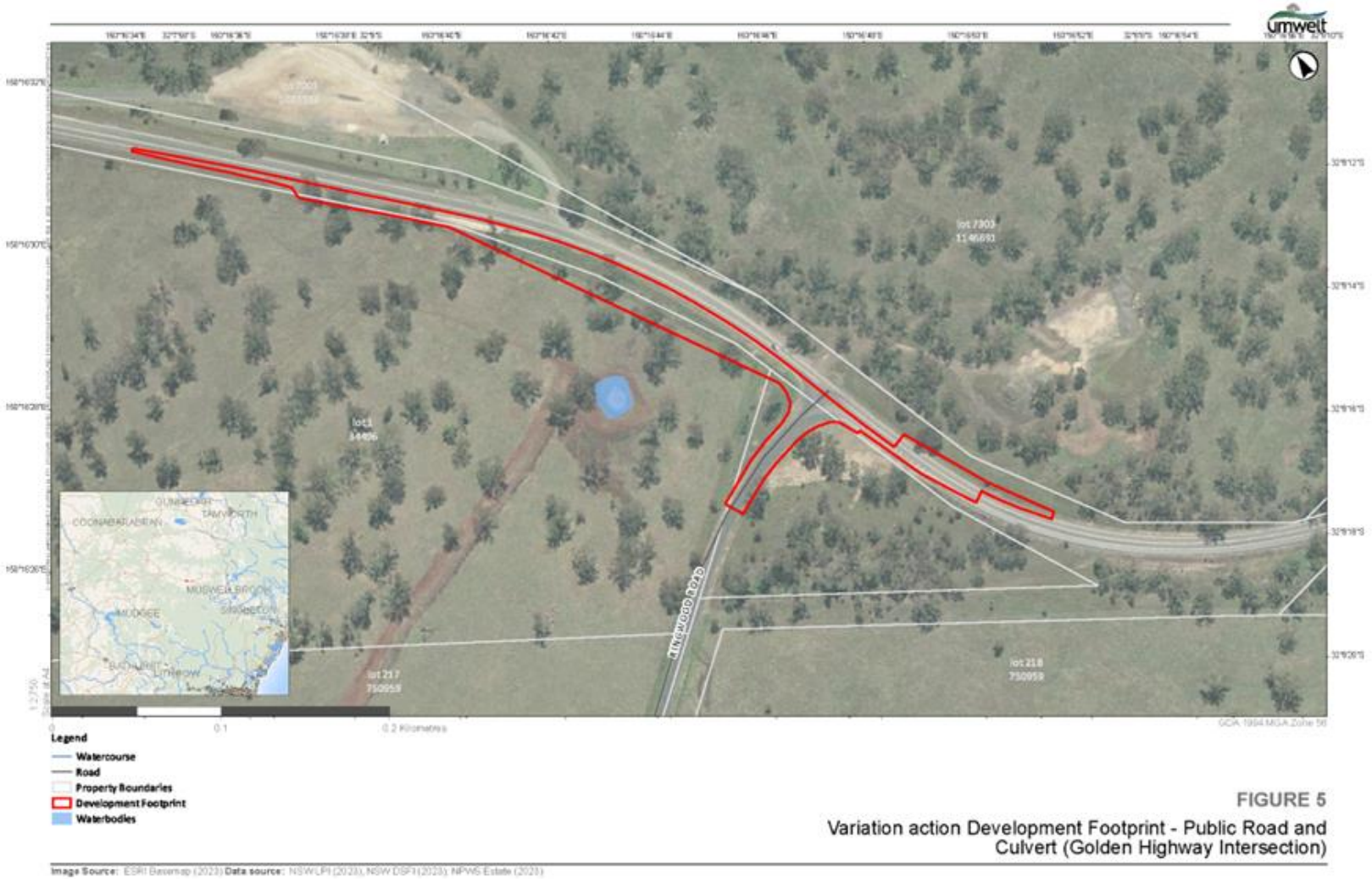
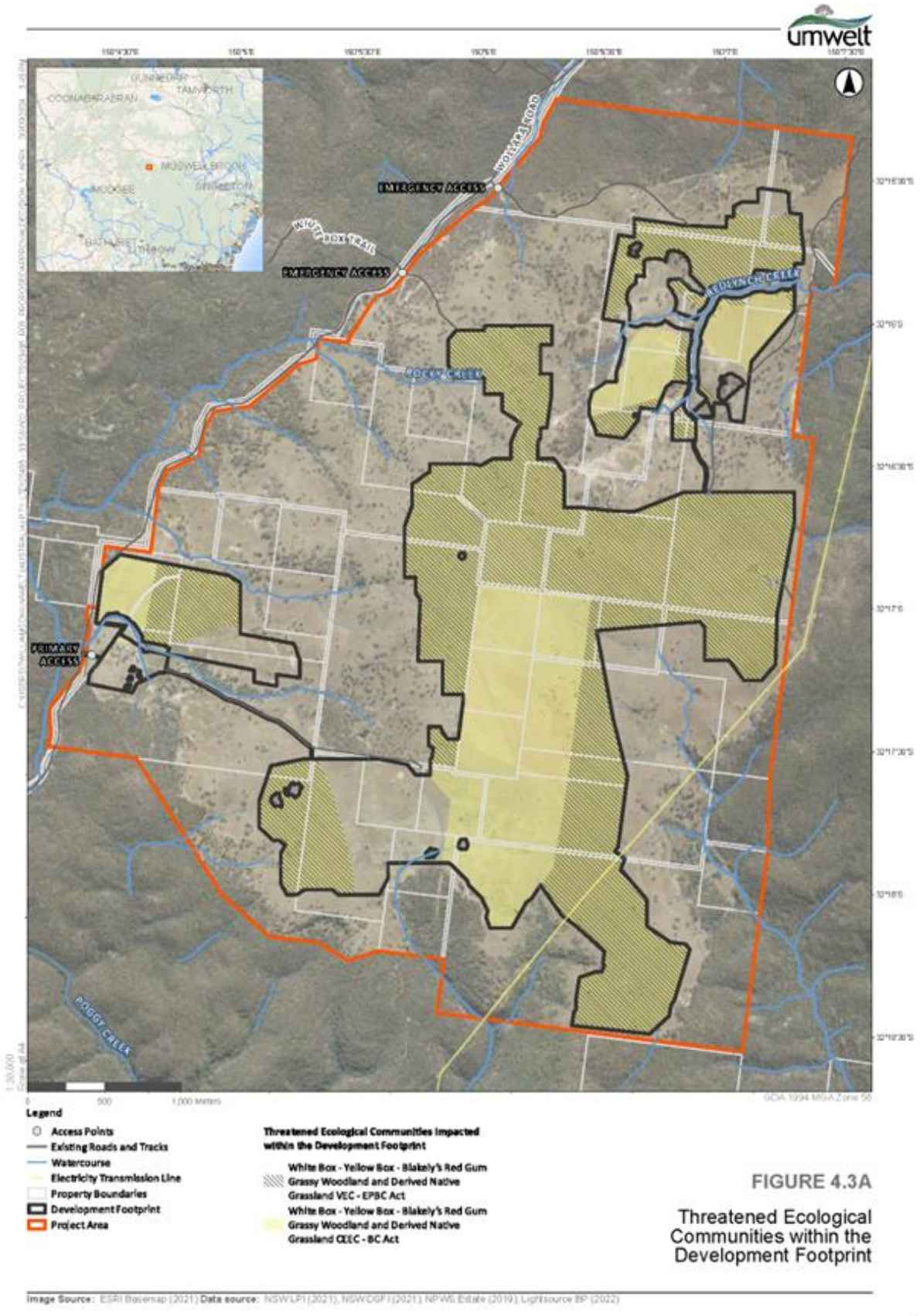
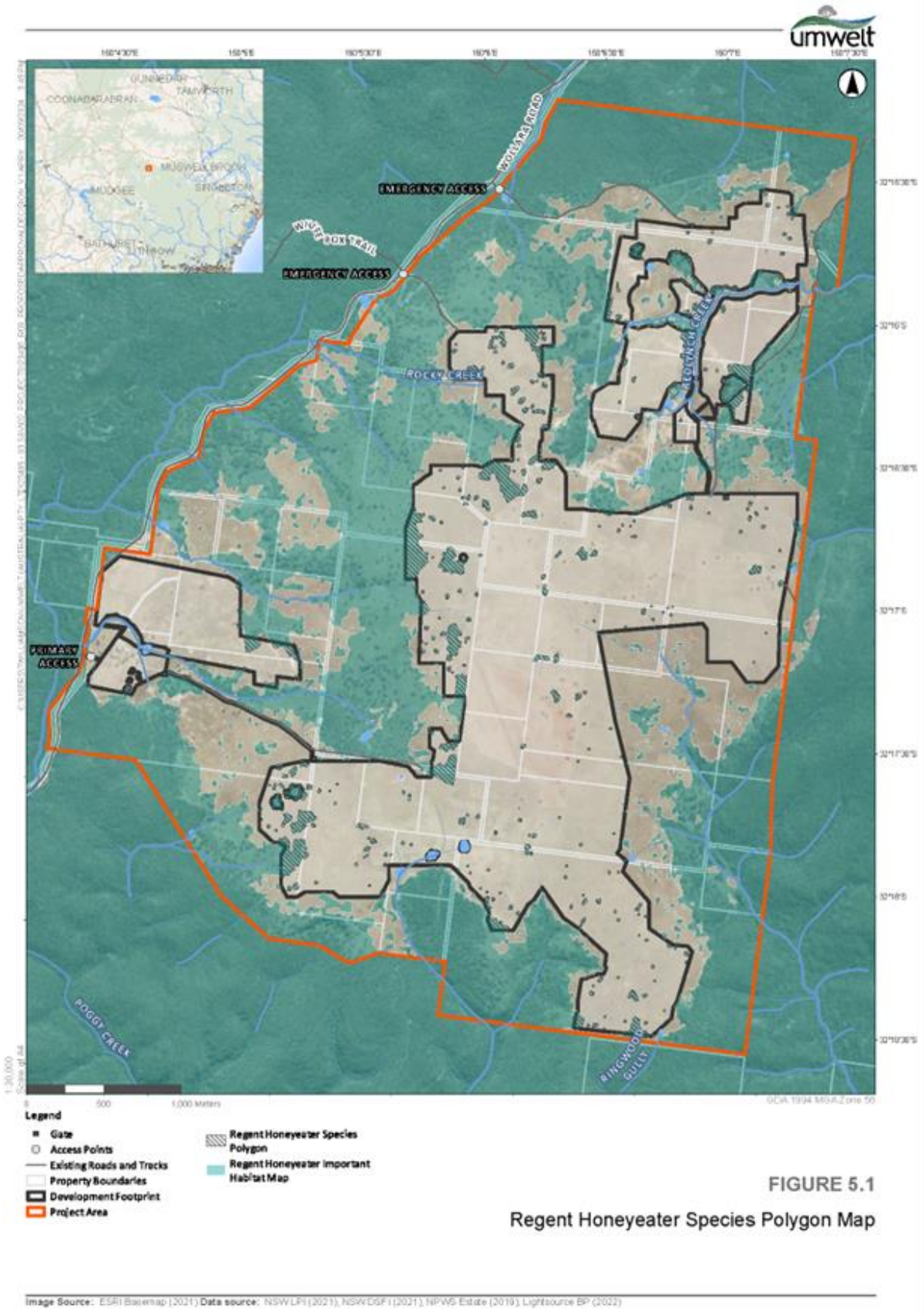


FIGURE 5
Variation action Development Footprint - Public Road and Culvert (Golden Highway Intersection)

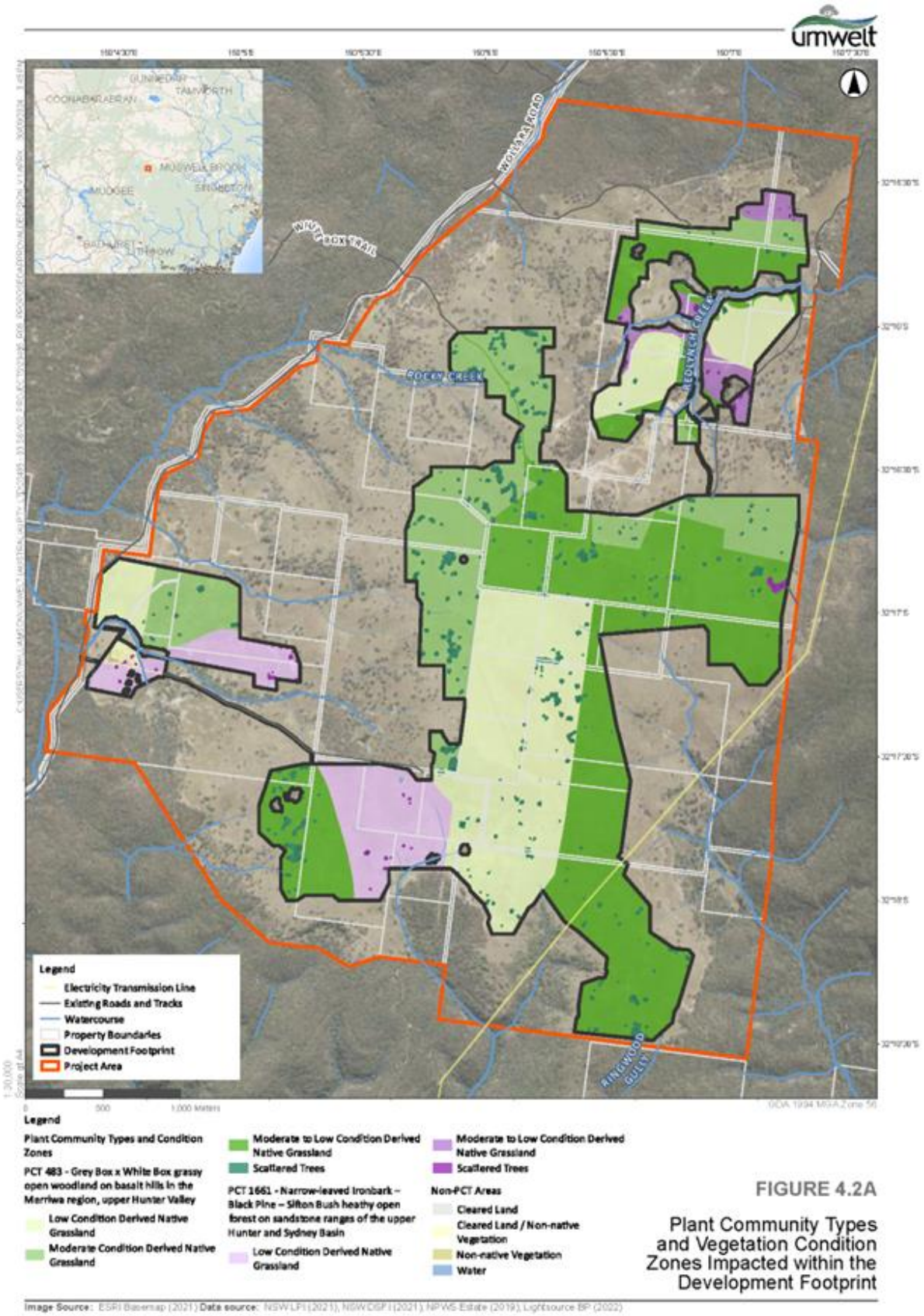
Original dated 7/10/2024 **E: Box Gum Woodland in Solar Farm action area**



Original dated 7/10/2024 **F: Regent Honeyeater habitat in Solar Farm action area**



Original dated 7/10/2024	**G: Painted Honeyeater habitat in Solar Farm action area**



Original dated 7/10/2024

H1: Box Gum Woodland in Road Upgrade action area (1 of 3)

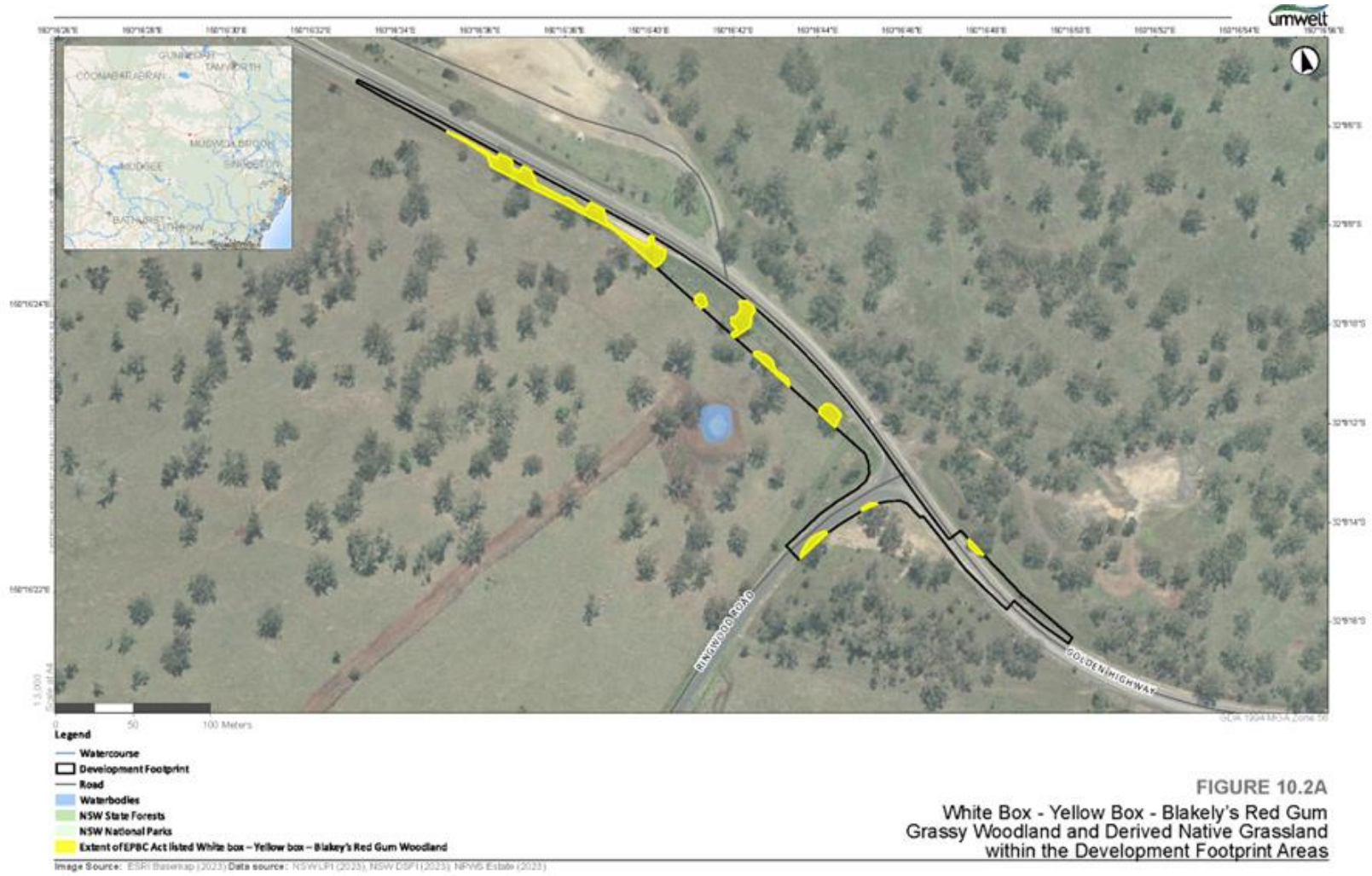


FIGURE 10.2A
White Box - Yellow Box - Blakely's Red Gum Grassy Woodland and Derived Native Grassland within the Development Footprint Areas

Original dated 7/10/2024

H2: Box Gum Woodland in Road Upgrade action area (2 of 3)

FIGURE 10.2B
White Box - Yellow Box - Blakely's Red Gum Grassy Woodland and Derived Native Grassland within the Development Footprint Areas

Original dated 7/10/2024

H3: Box Gum Woodland in Road Upgrade action area (3 of 3)

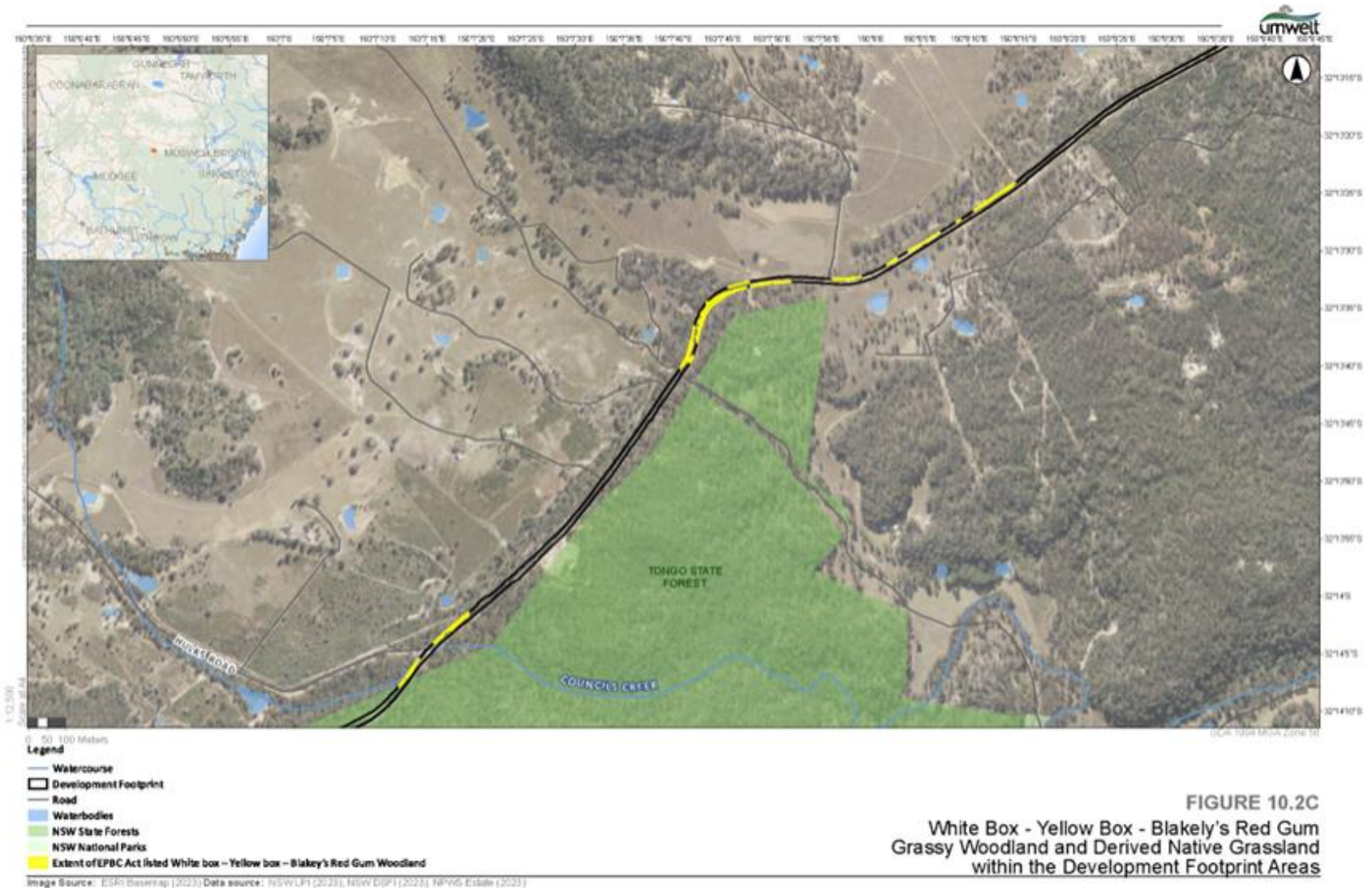


FIGURE 10.2C
White Box - Yellow Box - Blakely's Red Gum Grassy Woodland and Derived Native Grassland within the Development Footprint Areas

Original dated 7/10/2024

I1: Regent Honeyeater habitat in Road Upgrade action area (1 of 3)

FIGURE 5.3A
Regent Honeyeater Species Polygon

Original dated 7/10/2024

I2: Regent Honeyeater habitat in Road Upgrade action area (2 of 3)

FIGURE 5.3B
Regent Honeyeater Species Polygon

Original dated 7/10/2024

I3: Regent Honeyeater habitat in Road Upgrade action area (3 of 3)

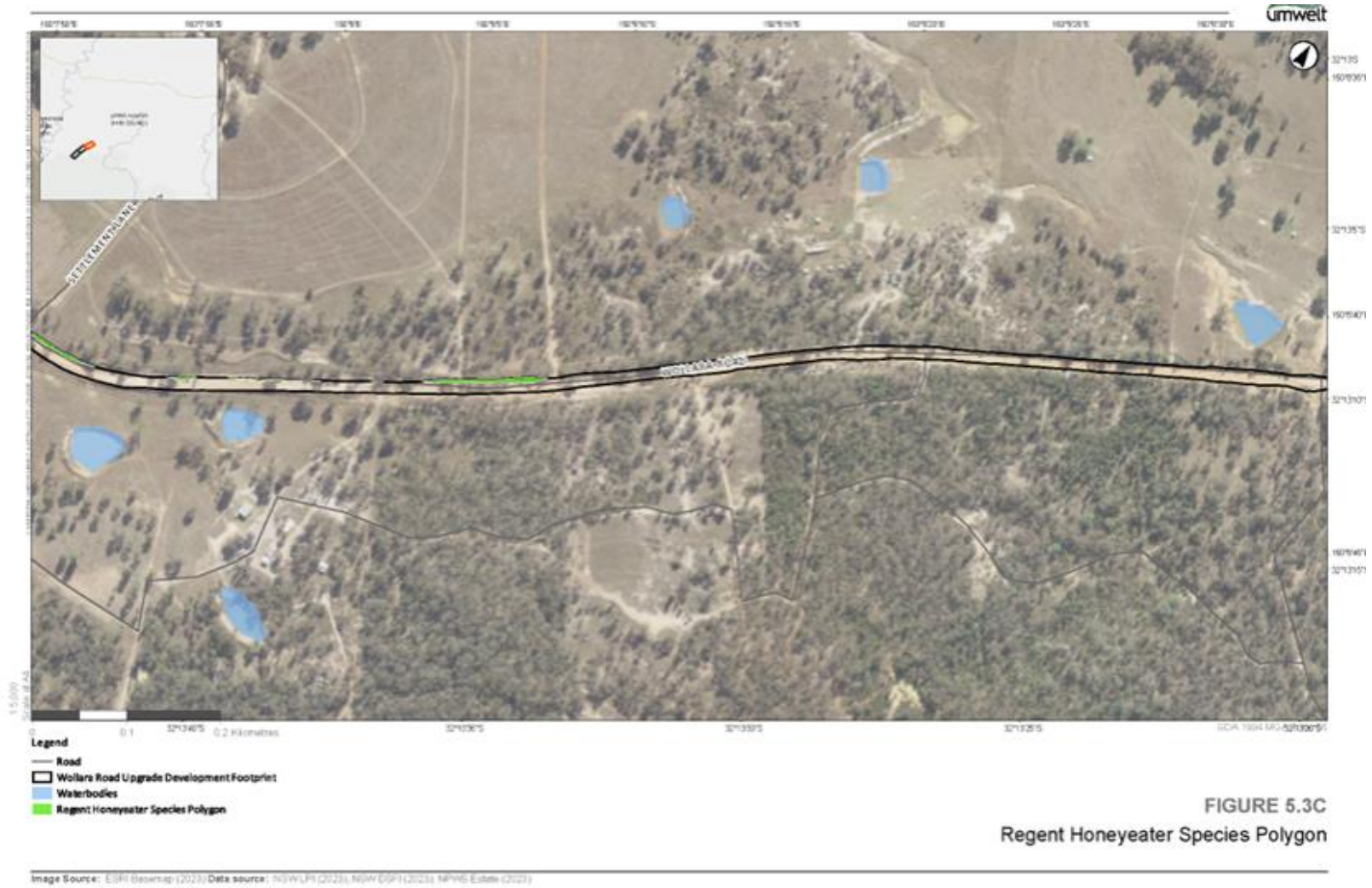


FIGURE 5.3C
Regent Honeyeater Species Polygon

Appendix B – Transfer of EPBC Approval

Australian Government
Department of Climate Change, Energy, the Environment and Water

Notification of consent to transfer approval

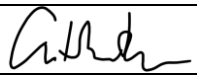
Goulburn River Solar Farm, NSW (EPBC ref 2021/9102)

This decision is made under Section 145B of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Transfer decision

approved action	The construction, operation, and decommissioning of a large-scale solar farm and Battery Energy Storage System including road upgrade works, 28 km south-west of Merriwa, NSW, as varied by the variation request dated 6 February 2024 [EPBC Act referral 2021/9102]
transferor (the person from whom the approval is transferred)	Lightsource Development Services Australia Pty Ltd ACN: 623 301 799
transferee (the person to whom the approval is transferred)	Goulburn River Fund Pty Ltd ACN: 673 011 786

Person authorised to make decision

name and position	Tony Richards Assistant Director Environment Assessments (Vic, Tas) and Post Approvals Branch
signature	
date of decision	15 May 2025

Appendix C – SSD 33964533 Approval

Development Consent

Section 4.38 of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning and Public Spaces under delegation executed on 9 March 2022, I grant consent to the Development application referred to in Schedule 1, subject to the conditions in Schedule 2.

These conditions are required to:

- prevent, minimise and/or offset any adverse environmental impacts of the development;
- set standards and performance measures for acceptable environmental performance; and
- provide for the ongoing environmental management of the development.

Chris Ritchie
A/Executive Director
Energy, Resources and Industry

Sydney 22 August 2024

SCHEDULE 1

Application Number:	SSD 33964533
Applicant:	Lightsource Development Services Australia Pty Ltd
Consent Authority:	Minister for Planning and Public Spaces
Land:	See Appendix 2
Development:	Goulburn River Solar Farm

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DEFINITIONS

Aboriginal stakeholders	Aboriginal stakeholders registered for cultural heritage consultation for the development
Ancillary infrastructure	All project infrastructure with the exception of solar panels, including but not limited to collector substations, switching stations, permanent offices, site compounds, electricity transmission lines and internal roads
Applicant	Lightsource Development Services Australia Pty Ltd, or any person who seeks to carry out the development approved under this consent
Battery storage	Large scale energy storage system
BCS	Biodiversity Conservation and Science Group within the NSW DCCEEW
Cessation of operations	Operation of the development has ceased for a continuous period of 12 months
Commissioning	The testing of the components, equipment and systems of the development following completion of construction, prior to operations commencing
Conditions of this consent	Conditions contained in Schedules 1 and 2 inclusive
Construction	The construction of the development, including but not limited to, the carrying out of any earthworks on site and the construction of solar panels and any ancillary infrastructure (but excludes road upgrades or maintenance works to the public road network, building/road dilapidation surveys, installation of fencing, artefact survey and/or salvage, overhead line safety marking and geotechnical drilling and/or surveying)
Council	Upper Hunter Shire Council
Decommissioning	The removal of solar panels and ancillary infrastructure and/or rehabilitation of the site
Department	Department of Planning, Housing and Infrastructure
Development	The development as described in the EIS
Development footprint	The area within the site on which the components of the project will be constructed (shown in Appendix 1)
EIS	The Environmental Impact Statement for Goulburn River Solar Farm dated May 2023, the Submissions Report dated December 2023, the Amendment Reports dated January 2024 and May 2024, and the additional information dated 5 April 2024, 17 June 2024 and 27 June 2024
EP&A Act	*Environmental Planning and Assessment Act 1979*
EP&A Regulation	*Environmental Planning and Assessment Regulation 2021*
EPA	Environment Protection Authority
Feasible	Feasible relates to engineering considerations and what is practical to build or implement
FRNSW	Fire and Rescue NSW
Heavy vehicle	As defined by the *Heavy Vehicle National Law*,(NSW), but excluding light and medium rigid trucks and buses no more than 8 tonnes and with not more than 2 axles
Heavy vehicle requiring escort	Any vehicle that requires a pilot vehicle and/or escort vehicle, as defined by the National Heavy Vehicle Regulator's *NSW Class 1 Load Carrying Vehicle Operator's Guide*
Heritage NSW	Heritage NSW division within the NSW DCCEEW
Heritage item	An item as defined under the *Heritage Act 1977* and/or an Aboriginal Object or Aboriginal Place as defined under the *National Parks and Wildlife Act 1974*
Incident	A set of circumstances that causes or threatens to cause material harm to the environment
Material harm	Is harm that: • involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial; or • results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding $10,000 (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment
Minimise	Implement all reasonable and feasible mitigation measures to reduce the impacts of the development
Minister	Minister for Planning and Public Spaces, or delegate
MWh	Megawatt-hour
Non-compliance	An occurrence, set of circumstances or development that is a breach of this consent but is not an incident
NSW DCCEEW	NSW Department of Climate Change, Energy, the Environment and Water

Operation	The operation of the development, but does not include commissioning, trials of equipment or the use of temporary facilities
PCT	Plant Community Type
Planning Secretary	Secretary of the Department, or nominee
POEO Act	*Protection of the Environment Operations Act 1997*
Public infrastructure	Linear and related infrastructure that provides services to the general public, such as roads, railways, water supply, drainage, sewerage, gas supply, electricity, telephone, telecommunications, irrigation channels, drainage channels
Reasonable	Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements
Rehabilitation	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting
Residence	A dwelling in existence at the date of this consent
RFS	NSW Rural Fire Service
Site	As shown in Appendix 1 and listed in Appendix 2
Temporary facilities	Temporary facilities used for the construction, upgrading and/or decommissioning of the development, including but not limited to temporary site offices and compounds, materials storage compounds, maintenance workshops, material stockpiles, laydown areas and parking spaces
TfNSW	Transport for New South Wales
Upgrading	The replacement of solar panels and ancillary infrastructure onsite (excluding maintenance) in accordance with the conditions of this consent
Vehicle movement	One vehicle entering and leaving the site
VPA	Voluntary Planning Agreement

SCHEDULE 2

PART A ADMINISTRATIVE CONDITIONS

NETWORK CONNECTION WORKS

A1. Prior to commencing construction of the development, the Applicant must submit evidence to the satisfaction of the Planning Secretary that development for the augmentation of the existing transmission line and any associated works required to connect the solar farm to the electricity network:

(a) has been granted development consent under Part 4 of the EP&A Act; or

(b) if the development is an activity within the meaning of section 5.1 of the EP&A Act, a determining authority has assessed and determined to carry out, or approved the carrying out of, the activity in accordance with Part 5, Division 5.1 of the EP&A Act.

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

A2. In meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction, commissioning, operation, upgrading, rehabilitation or decommissioning of the development.

TERMS OF CONSENT

A3. The development may only be carried out:

(a) in compliance with the conditions of this consent;

(b) in accordance with all written directions of the Planning Secretary;

(c) generally in accordance with the EIS; and

(d) generally in accordance with the Development Layout in Appendix 1.

A4. The Applicant must comply with any requirement/s of the Planning Secretary arising from the Department'sassessment of:

(a) any strategies, plans or correspondence that are submitted in accordance with this consent;

(b) any reports, reviews or audits commissioned by the Department regarding compliance with this consent; and

(c) the implementation of any actions or measures contained in these documents.

A5. The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A3(c) or A3(d). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A3(c) or A3(d), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

BATTERY STORAGE RESTRICTION

A6. Unless the Planning Secretary agrees otherwise, the centralised battery storage associated with the development must not exceed a total energy storage capacity of 900MWh.

A7. Unless the Planning Secretary agrees otherwise, a single decentralised battery storage system location must:

(a) not exceed 30 MWh of energy storage in collocated batteries; and

(b) be separated by 25 metres from another decentralised battery storage system location.

The total energy storage stored in all decentralised battery storage system location must not exceed 1,160 MWh.

Note: Conditions A6 and A7 may be undertaken simultaneously. This condition does not prevent the Applicant from seeking to lodge a separate development application or modify this consent to increase the capacity of the battery storage in the future.

UPGRADING OF SOLAR PANELS AND ANCILLARY INFRASTRUCTURE

A8. The Applicant may upgrade the solar panels and ancillary infrastructure on site provided these upgrades remain within the approved Development footprint of the site. Prior to carrying out any such upgrades, the Applicant must provide revised layout plans and project details of the development to the Planning Secretary incorporating the proposed upgrades.

STRUCTURAL ADEQUACY

A9. The Applicant must ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the *National Construction Code.*

Notes:

- *Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the development.*
- *Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.*

DEMOLITION

A10. The Applicant must ensure that all demolition work on site is carried out in accordance with *Australian Standard AS 2601-2001: The Demolition of Structures*, or its latest version.

PROTECTION OF PUBLIC INFRASTRUCTURE

A11. Unless the Applicant and the applicable authority agree otherwise, the Applicant must:

(a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and

(b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.

Note: This condition does not apply to the upgrade and maintenance of the road network, which is expressly provided for in the conditions of this consent.

OPERATION OF PLANT AND EQUIPMENT

A12. The Applicant must ensure that all plant and equipment used on site, or in connection with the development, is:

(a) maintained in a proper and efficient condition; and

(b) operated in a proper and efficient manner.

APPLICABILITY OF GUIDELINES

A13. References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are tosuch guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.

However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.

COMPLIANCE

A14. The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.

EVIDENCE OF CONSULTATION

A15. Where conditions of this consent require consultation with an identified party, the Applicant must:

(a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and

(b) provide details of the consultation undertaken including:

(i) the outcome of that consultation, matters resolved and unresolved; and

(ii) details of any disagreement remaining between the party consulted and the Applicant andhow the Applicant has addressed the matters not resolved.

COMMUNITY ENHANCEMENT

A16. Prior to commencing construction, or other timeframe agreed by the Planning Secretary, the Applicant must enter into a VPA with Council in accordance with:

(a) Division 7.1 of Part 7 of the EP&A Act; and

(b) the terms of the draft agreement between the Applicant and Council, as referenced in Council's correspondence dated 16 May 2024, which are summarised in Appendix 3.

PART B ENVIRONMENTAL CONDITIONS - GENERAL

TRANSPORT

Heavy Vehicles Requiring Escort and Heavy Vehicle Restrictions

B1. The Applicant must ensure that the:

(a) development does not generate more than:

(i) 55 heavy vehicle movements a day (a maximum of 15 heavy vehicle movements per hour) during construction, upgrading or decommissioning;

(ii) 24 movements of heavy vehicle requiring escort during construction, upgrading and decommissioning; and

(b) length of any vehicles (excluding heavy vehicle requiring escort) used for the development does not exceed 19 metres,

unless the Planning Secretary agrees otherwise.

B2. The Applicant must keep accurate records of the number of heavy vehicles and vehicles requiring escort entering or leaving the site each day for the duration of the project.

Access Route

B3. Unless otherwise agreed by the Planning Secretary, all heavy vehicles and heavy vehicles requiring escort associated with the development must travel to and from the site via the Golden Highway / Ringwood Road intersection as shown in Figure 3 and Figure 4 in Appendix 4.

B4. All vehicles (excluding heavy vehicles requiring escort) associated with the development accessing the site via the Golden Highway / Ringwood Road intersection:

(a) must access Ringwood Road by turning left from the Golden Highway only, as shown in Figure 4 in Appendix 4; and

(b) must exit Ringwood Road by turning left on to the Golden Highway only as shown in Figure 4 in Appendix 4.

B5. All vehicles (excluding heavy vehicles requiring escort) associated with the development departing the site and needing to travel east along the Golden Highway must use the turnaround point at Barnett Street, as shown on Figure 4 in Appendix 4.

Site Access

B6. All vehicles associated with the development must enter and exit the site via the Primary Access point off Wollara Road, as identified in Appendix 1.

Note: Other site access points may be used for emergency purposes.

Road Upgrades

B7. Unless the Planning Secretary agrees otherwise, prior to commencing construction the Applicant must complete the road upgrades detailed in Appendix 4.

Unless the relevant roads authority agrees otherwise, these upgrades must comply with the current *Austroads Guidelines, Australian Standards* (as amended by TfNSW supplements), and be carried out to the satisfaction of the relevant roads authority.

Road Maintenance

B8. The Applicant must, in consultation with the relevant roads authority:

(a) undertake an independent dilapidation survey and report to assess the:

(i) existing condition of Ringwood Road and Wollara Road on the transport route, prior to construction, upgrading or decommissioning works; and

(ii) condition of Ringwood Road and Wollara Road on the transport route, following construction, upgrading or decommissioning works;

(b) on completion of the dilapidation reports undertaken in B8(a)(i) and (ii) provide a copy to the relevant road authority;

(c) repair the roads identified in condition B8(a) if dilapidation surveys identify that the road has been damaged due to development-related traffic during construction, upgrading or decommissioning works;

If there is a dispute between the Applicant and the relevant roads authority about road repairs (including timeframes) required under this condition, then either partymay refer the matter to the Planning Secretary for resolution.

Operating Conditions

B9. The Applicant must ensure:

(a) the internal roads are constructed as all-weather roads;

(b) there is sufficient parking on site for all vehicles, and no parking occurs on the public road network in the vicinity of the site;

(c) the capacity of the existing roadside drainage network is not reduced;

(d) all vehicles are loaded and unloaded on site, and enter and leave the site in a forward direction; and

(e) development-related vehicles leaving the site are in a clean condition to minimise dirt being tracked onto the sealed public road network.

Traffic Management Plan

B10. Prior to commencing road upgrades identified in condition B7, the Applicant must prepare a Traffic Management Plan for the development in consultation with TfNSW, Upper Hunter Shire Council and Mid-Western Regional Council, and to the satisfaction of the Planning Secretary. This plan must include:

(a) details of the transport route to be used for all development-related traffic;

(b) details of the road upgrade works required by condition B7;

(c) a reconciliation table to demonstrate all traffic-related management measures and recommendations identified in the EIS have been included in the plan;

(d) monitor the compliance of vehicles using the access route described in conditions B3, B4 and B5;

(e) details of the measures that would be implemented to minimise traffic impacts during construction, upgrading or decommissioning works, including:

(i) details of the dilapidation surveys required by condition B8 of this consent;

(ii) temporary traffic controls, including detours and signage, in particular regarding the left in / left out arrangement at the Ringwood Road / Golden Highway intersection, and the turnaround point on Barnett Street;

(iii) monitoring the bi-directional traffic volumes on the Golden Highway at the Ringwood Road intersection;

(iv) limiting construction traffic associated with the development to ensure that vehicle movements along the Golden Highway do not exceed 380 vehicles per hour during the AM network peak hour;

(v) scheduling the arrival and departure of heavy vehicles from the site to avoid the PM peak hour where practicable;

(vi) notifying the local community about development-related traffic impacts;

(vii) procedures for receiving and addressing complaints from the community about development-related traffic;

(viii) minimising potential cumulative traffic impacts with other projects in the area during construction, upgrading or decommissioning works;

(ix) minimising dirt tracked onto the public road network from development-related traffic;

(x) details of any employee shuttle bus service, including pick-up and drop-off points and associated parking arrangements for construction workers, and measures to encourage employee use of this service;

(xi) measures for managing light vehicle peak numbers, including car-pooling or ride sharing by employees;

(xii) scheduling of haulage vehicle movements to minimise convoy length or platoons, and to minimise conflict with light vehicles;

(xiii) responding to local climate conditions that may affect road safety such as fog, dust, wet weather and flooding;

(xiv) measures to minimise dust generated by construction traffic;

(xv) responding to any emergency repair or maintenance requirements; and

(xvi) a traffic management system for managing heavy vehicles requiring escort;

(f) a driver's code of conduct that addresses:

(i) driver fatigue;

(ii) procedures to ensure that drivers adhere to the designated transport routes and speed limits; and

(iii) procedures to ensure that drivers implement safe driving practices; and

(g) a program to ensure drivers working on the development receive suitable training on the code of conduct and any other relevant obligations under the Traffic Management Plan.

Following the Planning Secretary's approval, the Applicant must implement the Traffic Management Plan.

LANDSCAPING

Vegetation Buffer

B11. Unless the Planning Secretary agrees otherwise, the Applicant must establish and maintain a vegetation buffer (landscape screening) as described in the EIS and at the locations adjacent Wollara Road identified in Appendix 5, which must:

(a) be planted prior to commencing operation;

(b) be comprised of species that are endemic to the area;

(c) be designed and maintained in accordance with RFS's *Planning for Bushfire Protection 2019* (or equivalent); and

(d) be properly maintained with appropriate weed management;

unless the Planning Secretary agrees otherwise.

Land Management

B12. Unless the Planning Secretary agrees otherwise, the Applicant must maintain the agricultural land capability of the site, including:

(a) establishing the ground cover of the site within 3 months following completion of any construction or upgrading;

(b) maintain ground cover at a minimum of 70% to prevent soil erosion; and

(c) properly maintaining the ground cover with appropriate perennial species and weed management.

BIODIVERSITY

Vegetation Clearance

B13. The Applicant must not clear any native vegetation or fauna habitat located outside the approved development footprint described in the EIS.

Biodiversity Offsets

B14. Prior to carrying out any development that could directly or indirectly impact the biodiversity values requiring offset, the Applicant must retire biodiversity credits of a number and class specified in Table 1 and Table 2 below. The retirement of these credits must be carried out in accordance with the *NSW Biodiversity Offsets* Scheme and can be achieved by:

(a) acquiring or retiring 'biodiversity credits' within the meaning of the *Biodiversity Conservation Act 2016*;

(b) making payments into an offset fund that has been developed by the NSW Government; and/or

(c) funding a biodiversity conservation action that benefits the entity impacted and is listed in the ancillaryrules of the biodiversity offset scheme.

Table 1: *Ecosystem Credit Requirements*

Vegetation Community	***PCT ID***	***Credits Required***	***Timing***
Solar Farm Site			
Grey Box x White Box grassy open woodland on basalt hills in the Merriwa region, upper Hunter Valley	483	4,618	Prior to commencing construction
Narrow-leaved Ironbark - Black Pine - Sifton Bush heathy open forest on sandstone ranges of the upper Hunter and Sydney Basin	1661	59	
Road Upgrades			
Grey Box x White Box grassy open woodland on basalt hills in the Merriwa region, upper Hunter Valley	483	11	Prior to commencing road upgrade works
Narrow-leaved Ironbark - Grey Box grassy woodland of the central and upper Hunter	1691	4	
Western Hunter Flats Red Gum Sedge Forest	3334	1	
Central West Valleys White Box Forest	3388	12	
Ulan Sandstone Ironbark-Pine Woodland	3781	32	

Table 2: *Species Credit Requirements*

Species Credit Species	***Credits Required***	***Timing***
Solar Farm Site		
Regent Honeyeater (*Anthochaera phrygia*)	1,424	Prior to commencing construction
Barking Owl (*Ninox connivens*)	6	
Road Upgrades		
Commersonia rosea	14	Prior to commencing road upgrade works
Pine Donkey Orchid (*Diuris tricolor*)	2	
Regent Honeyeater (*Anthochaera phrygia*)	9	
Large-eared Pied Bat (*Chalinolobus dwyeri*)	85	
Giant Burrowing Frog *(Heleioporus australiacus)*	25	
Pale-headed Snake (*Hoplocephalus bitorquatus*)	3	
Broad-headed Snake (*Hoplocephalus bungaroides*)	64	
Barking Owl (*Ninox connivens*)	13	
Common Planigale (*Planigale maculate*)	3	
Stripped Legless Lizard (*Delma impar*)	27	
Eastern Cave Bat (*Vespadelus troughtoni*)	14	

B15. Prior to carrying out any development that could directly or indirectly impact the biodiversity values requiring offset, the Applicant must provide evidence to the Planning Secretary that biodiversity credits have been retired.

Biodiversity Management Plan

B16. Prior to carrying out any development that could directly or indirectly impact biodiversity values, the Applicant must prepare a Biodiversity Management Plan for the development in consultation with BCS, and to the satisfaction of the Planning Secretary. This plan must:

(a) be prepared in accordance with the Biodiversity Development Assessment Reports dated 11 January 2024 and 18 January 2024 provided in the Amendment Report;

(b) include a description of the measures and timeframes that would be implemented for:

(i) protecting vegetation and fauna habitat outside the approved disturbance areas;

(ii) managing and enhancing the remnant vegetation and fauna habitat on site;

(iii) minimising clearing and avoiding unnecessary disturbance of vegetation that is associated with the construction and operation of the development;

(iv) minimising the removal of hollow-bearing trees during spring to avoid the main breeding period for hollow-dependent fauna;

(v) minimising the impacts to fauna on site and implementing fauna management protocols;

(vi) rehabilitating and revegetating temporary disturbance areas with native species that are appropriate to the site's ecology and conditions;

(vii) maximising the salvage of vegetative and soil resources within the approved disturbance areafor beneficial reuse in the enhancement or the rehabilitation of the site;

(viii) controlling weeds, feral pests and pathogens in consideration of the relevant Commonwealth threat abatement plans; and

(ix) minimising impacts on entities at risk of a serious and irreversible impact (SAII), including:

- securing an additional 23.5 hectares of Box Gum Woodland derived native grassland (DNG) within a Biodiversity Stewardship Agreement for the purposes of rehabilitating, enhancing and protecting, in perpetuity, this vegetation to a condition state commensurate with Box Gum Woodland;
- undertaking a research program regarding the impacts of the development on the vegetation integrity of the Box Gum Woodland DNG retained onsite; and
- providing $25,000 per annum (over the first 5 years following commencement of construction) towards Regent Honeyeater conservation programs in consultation with the BCS;

(c) include a program to monitor and report on the effectiveness of mitigation measures;

(d) include an incidental threatened species finds protocol to identify the avoid and/or minimise and/oroffset options to be implemented if additional threatened species are discovered on site;

(e) include details of who would be responsible for monitoring, reviewing and implementing the plan.

Following the Planning Secretary's approval, the Applicant must implement the Biodiversity Management Plan.

AMENITY

Construction, Upgrading and Decommissioning Hours

B17. Unless the Planning Secretary agrees otherwise, the Applicant may only undertake road upgrades,construction, upgrading or decommissioning activities between:

(a) 7 am to 6 pm Monday to Friday;

(b) 8 am to 1 pm Saturdays; and

(c) at no time on Sundays and NSW public holidays.

Exceptions to Construction Hours

B18. The following activities may be undertaken outside the hours specified in condition B17 above:

(a) commissioning activities that are inaudible at non-associated residences;

(b) the delivery or dispatch of materials as requested by the NSW Police Force or other authorities for safety reasons; or

(d) emergency work to avoid the loss of life, property and/or material harm to the environment.

Variation of Construction Hours

B19. The hours of construction activities specified in condition B17 of this approval may be varied with the prior written approval of the Planning Secretary. Any request to alter the hours of construction must be:

(a) considered on a case-by-case or activity-specific basis;

(b) accompanied by details of the nature and justification for activities to be conducted during the varied construction hours;

(c) accompanied by written evidence that appropriate consultation with potentially affected sensitive receivers and notification of Councils (and other relevant agencies) has been and will be undertaken;

(d) accompanied by evidence that all feasible and reasonable noise mitigation measures have been put in place; and

(e) accompanied by a noise impact assessment consistent with the requirements of the *Interim Construction Noise Guideline* (DECC, 2009), or latest version.

Noise

B20. The Applicant must:

(a) minimise the noise generated by any construction, upgrading or decommissioning activities on site in accordance with best practice requirements outlined in the *Interim Construction Noise Guideline* (DECC, 2009) or its latest version; and

(b) ensure that the noise generated by the operation of the development during the night does not exceed 35 dB(A) $L_{Aeq,\ 15min}$ to be determined in accordance with the procedures in the *NSW Noise Policy for Industry* (EPA, 2017) at any non-associated residence.

Dust

B21. The Applicant must minimise the dust generated by the development.

Visual

B22. The Applicant must:

(a) minimise the off-site visual impacts of the development, including the potential for any glare or reflection;

(b) ensure the visual appearance of all ancillary infrastructure (including paint colours) blends in as far aspossible with the surrounding landscape; and

(c) not mount any advertising signs or logos on site, except where this is required for identification orsafety purposes.

Lighting

B23. The Applicant must:

(a) minimise the off-site lighting impacts of the development; and

(b) ensure that any external lighting associated with the development:

(i) is installed as low intensity lighting (except where required for safety or emergency purposes);

(ii) does not shine above the horizontal;

(iii) complies with the good lighting design principles outlined in the *Dark Sky Planning Guideline* (2023); and

(iv) complies with *Australian/New Zealand Standard AS/NZS 4282:2019 – Control of Obtrusive Effects of Outdoor Lighting*, or the latest version.

HERITAGE

Protection of Heritage Items

B24. The Applicant must ensure the development does not cause any direct or indirect impacts on heritage items located outside the approved Development footprint.

B25. The Applicant must maintain a 20m exclusion zone around the area of 'high potential' for historical archaeological artefacts associated with the original slab hut as identified by the red shading on Figure 11 in Appendix 6.

Heritage Management Plan

B26. Prior to commencing construction, the Applicant must prepare a Heritage Management Plan for the development and to the satisfaction of the Planning Secretary. This plan must:

(a) be prepared in consultation with local Aboriginal stakeholders, and reviewed by Heritage NSW;

(b) include a description of the measures that would be implemented for:

(i) protecting the heritage items identified in Table 1 of Appendix 6, and items located outside the approved development footprint;

(ii) fencing / demarcation (as appropriate) of the identified heritage items prior to carrying out any development that could directly or indirectly impact the identified heritage items;

(iii) establishing the exclusion zone around the original slab hut as required under condition B25;

(iv) recording and salvage collection of the heritage items located within the approved development footprint, as identified in Table 2 of Appendix 6;

(v) further recording and investigation of the grinding groove site 'Kiloe Creek GG1' (AHIMS site #37-1-1033);

(vi) a contingency plan and reporting procedure if:

- heritage items outside the approved development footprint are damaged;
- previously unidentified heritage items are found; or
- skeletal material is discovered;

(vii) ensuring workers on site receive suitable heritage inductions prior to carrying out anydevelopment on site, and that records are kept of these inductions; and

(viii) ongoing consultation with Aboriginal stakeholders during the implementation of the plan; and

(c) include a program to monitor and report on the effectiveness of these measures and any heritageimpacts of the project.

Following the Planning Secretary's approval, the Applicant must implement the Heritage Management Plan.

SOIL AND WATER

Water Supply

B27. The Applicant must ensure that it has sufficient water for all stages of the development, and if necessary,adjust the scale of the development to match its available water supply.

Note: Under the Water Act 1912 and/or the Water Management Act 2000, the Applicant is required to obtain the necessary water licences for the development.

Water Pollution

B28. The Applicant must ensure that the development does not cause any water pollution, as defined under Section 120 of the POEO Act.

Operating Conditions

B29. The Applicant must:

(a) minimise any soil erosion and control sediment generation;

(b) ensure that construction, upgrading or decommissioning of the development has appropriate drainage and erosion and sediment controls designed, installed and maintained in accordance with the relevant requirements in the *Managing Urban Stormwater: Soils and Construction* (Landcom, 2004) manual and the *Managing Urban Stormwater: Soils and construction - Volume 2A* manual (Landcom, 2008), or their latest versions;

(c) ensure the solar panels and ancillary infrastructure are designed, constructed and maintained toreduce impacts on localised flooding and groundwater at the site;

(d) ensure the solar panels do not cause any increased water being diverted off the site or alter hydrologyoff site;

(e) ensure the solar panels and ancillary infrastructure are designed, constructed and maintained to avoid causing any erosion on site;

(f) ensure all works within waterfront land is undertaken in accordance with *Guidelines for Controlled Activities on Waterfront Land* (DPE, 2022), unless the Planning Secretary agrees otherwise; and

(g) ensure the design of all creek crossings (including internal tracks and MV cables) is in accordance with the document *Why do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings* (NSW Fisheries 2003) and the *Policy and Guidelines for Fish Habitat Conservation and Management* (Update 2013).

Soil and Water Management Plan

B30. Prior to commencing construction, the Applicant must prepare a Soil and Water Management Plan for the development in consultation with DPE Water. This plan must:

(a) be prepared by suitably qualified and experienced persons;

(b) include a description of the measures that would be implemented to ensure that the objectives of condition B29 (a) – (g) above are achieved;

(c) include a program to monitor and report on the effectiveness of these measures; and

(d) include details of who would be responsible for monitoring, reviewing and implementing the plan, and timeframes for completion of actions.

The Applicant must implement the Soil and Water Management Plan.

HAZARDS

Fire Safety Study

B31. Prior to commencing construction of the battery storage facility (except for construction of those preliminary works that are outside the scope of the hazard studies), the Applicant must prepare and submit a Fire Safety Study for the battery storage, to the satisfaction of the Planning Secretary and that meets the requirements of FRNSW. The study must:

(a) be consistent with the Department's *Hazardous Industry Planning Advisory Paper No. 2 'Fire Safety Study' guideline*;

(b) be prepared in accordance with the FRNSW *Fire Safety Guideline Technical Information – Large scale external lithium-ion battery energy storage systems – Fire safety study considerations*.

(c) describe the final design of the battery storage;

(d) include reasonable worst-case fire scenario to and from the battery storage and the associated fire management; and

(e) identify measures to eliminate the expansion of any fire incident including:

(i) adequate fire safety systems and appropriate water supply;

(ii) separation and / or compartmentalisation of battery units; and

(iii) strategies and incident control measures specific to the battery storage design.

Following approval by the Planning Secretary, the Applicant must implement the measures described in the Fire Safety Study.

Note: 'meets the requirements of FRNSW' above means confirmation in writing from FRNSW that the Study meets the requirements of FRNSW as required by the Department's Hazardous Industry Planning Advisory Paper No. 2 'Fire Safety Study' guideline

Storage and Handling of Dangerous Goods

B32. The quantities of dangerous goods stored and handled at the site must be below the threshold quantities listed in the Department's Hazardous and Offensive Development Application Guidelines – Applying SEPP 33 at all times.

B33. The Applicant must store and handle all chemicals, fuels and oils used on-site in accordance with:

(a) the requirements of all relevant Australian Standards; and

(b) the NSW EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Handbook*if the chemicals are liquids.

In the event of an inconsistency between the requirements (a) and (b) above, the most stringent requirement must prevail to the extent of the inconsistency.

Operating Conditions

B34. For the solar and battery storage components of the development, the Applicant must:

(a) minimise the fire risks of the development, including managing vegetation fuel loads on-site;

(b) ensure that the development:

(i) complies with the relevant asset protection requirements in the RFS's *Planning for Bushfire Protection 2019* (or equivalent) and *Standards for Asset Protection Zones*; and

(ii) is suitably equipped to respond to any fires on site, including provision of a 10,000 litre water supply tanks fitted with a 65 mm Storz fitting and a FRNSW compatible suction connection;

(iii) includes a 10 metre defendable space around the perimeter that permits unobstructed vehicle access, and assists the RFS and emergency services as much as practicable if there is a fire in the vicinity of the site; and

(iv) is managed as an asset protection zone (including the defendable space);

(c) assist the RFS, FRNSW and emergency services as much as practicable if there is a fire in the vicinity of the site; and

(d) notify the relevant local emergency management committee following completion of construction of the development, and prior to commencing operations.

Emergency Plan

B35. Prior to commencing construction, the Applicant must develop and implement a comprehensive Emergency Plan and detailed emergency procedures for the development, including an evacuation plan for the accommodation camp, and provide a copy of the plan to the local Fire Control Centre and FRNSW. The plan must:

(a) be updated in accordance with the findings of the Fire Safety Study required under Condition B31 of Schedule 2;

(b) be consistent with the Department's Hazardous Industry Planning Advisory Paper No. 1, '*Emergency Planning'* and *RFS's Planning for Bushfire Protection 2019* (or equivalent);

(c) be consistent with the NSW RFS document: *A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan*;

(d) include details on how the battery storage and sub-systems can be safely isolated in an emergency;

(e) identify the fire risks and hazards and detailed measures for the development to prevent or mitigate fires igniting;

(f) include availability of fire suppression equipment, access and water;

(g) detail access provisions for emergency vehicles and contact details for both a primary and alternative site contact who may be reached 24/7 in the event of an emergency;

(h) include fire and bushfire emergency management planning, including:

(i) details of the location, management and maintenance of the Asset Protection Zone;

(ii) a list of works that must not be carried out during a total fire ban;

(iii) details of how RFS would be notified, and procedures that would be implemented, in the event that:

- there is a fire on-site or in the vicinity of the site;
- there are any activities on site that would have the potential to ignite surrounding vegetation; or
- there are any proposed activities to be carried out during a bushfire danger period;

(i) detail specific response measures in the case of flood to ensure site safety;

(j) describe the specific emergency exit routes to be used in the case of flood and include evidence of access agreements with relevant landowners (e.g. right of carriageway); and

(k) include an Emergency Services Information Package in accordance with *Emergency services information package and tactical fire plans* (FRNSW, 2019), to the satisfaction of FRNSW and RFS.

B36. The Applicant must:

(a) implement the Emergency Plan and Emergency Services Information Package for the duration of the development; and

(l) following commencement of commissioning of the battery storage, keep two copies of the Emergency Plan and Emergency Services Information Package on-site in a prominent position adjacent to the site entry points at all times.

WASTE

B37. The Applicant must:

(a) minimise the waste generated by the development;

(b) classify all waste generated on site in accordance with the EPA's *Waste Classification Guidelines 2014* (or its latest version)*;*

(c) store and handle all waste on site in accordance with its classification;

(d) not receive or dispose of any waste on site; and

(e) remove all waste from the site as soon as practicable, and ensure it is reused, recycled or sent to an appropriately licensed waste facility for disposal (including consultation with Council for use of Council facilities).

ACCOMMODATION CAMP

Operating Conditions

B38. For the accommodation camp components of the development, the Applicant must:

(a) minimise the fire risks of the development, including managing vegetation fuel loads on-site;

(b) ensure that the development:

(i) complies with the relevant asset protection requirements in the RFS's *Planning for Bushfire Protection 2019* (or equivalent) and *Standards for Asset Protection Zones*;

(ii) internal roads and utilities are provided in accordance with the requirements of the bushfire assessment report produced by Umwelt (Australia) Pty Limited (dated May 2024);

(iii) includes a defendable space around the perimeter being a minimum 20 metres on all sides, that permits unobstructed vehicle access; and

(iv) is managed as an asset protection zone (including the defendable space);

(c) assist the RFS, FRNSW and emergency services as much as practicable if there is a fire in the vicinity of the site; and

(d) notify the relevant local emergency management committee following completion of construction of the development, and prior to commencing operations.

Accommodation Camp Management Plan

B39. Prior to commencing construction of the accommodation camp, the Applicant must prepare an Accommodation Camp Management Plan in consultation with Council. The plan must:

(a) ensure utilities at the accommodation camp, including water, wastewater, waste and electricity, are designed and located in accordance with Council specifications and relevant standards;

(b) ensure the accommodation camp complies with condition B38;

(c) ensure any treated wastewater from the accommodation camps used for dust suppression during construction:

(i) complies with the Australian and New Zealand Environment and Conservation Council (ANZECC) and Agriculture and Resource Management Council of Australia and New Zealand (ARMCANZ) (2000) *Guidelines for irrigation water quality*;

(ii) meets the requirements of the Public Health Act 2010;

(d) include measures for dust suppression within the accommodation camp;

(e) provide the site layout including building locations, vehicle access and movement, site servicing and utilities infrastructure; and

(f) include measures to support local suppliers in servicing the camp where possible.

The Applicant must implement the Accommodation Camp Management Plan.

Accommodation and Employment Strategy

B40. Prior to commencing construction, the Applicant must prepare an Accommodation and Employment Strategy for the development in consultation with Council. This strategy must:

(a) propose measures to ensure there is sufficient accommodation for the workforce associated with the development, generally consistent with the Accommodation and Employment Strategy dated May 2024;

(b) consider the cumulative impacts associated with other State significant projects in the area;

(c) investigate options for prioritising the employment of local workers for the construction and operation of the development, where feasible; and

(d) include a program to monitor and review the effectiveness of the strategy over the life of the development, including regular monitoring and review during construction.

The Applicant must provide a copy of the Accommodation and Employment Strategy to the Planning Secretary prior to commencement of construction, and implement the plan throughout construction and operation of the accommodation camp.

DECOMMISSIONING AND REHABILITATION

B41. Within 18 months of the cessation of operations, unless the Planning Secretary agrees otherwise, the Applicant must rehabilitate the site to the satisfaction of the Planning Secretary. This rehabilitation must comply with theobjectives in Table 3.

Table 3: *Rehabilitation Objectives*

Feature	***Objective***
Site	• Safe, stable and non-polluting • Minimise the visual impact of any above ground ancillary infrastructureagreed to be retained for an alternative use
Solar farm and ancillary infrastructure	• All infrastructure including above and below ground to be decommissioned and removed to a depth of 500mm unless the Planning Secretary agrees otherwise.
Land use	• Restore land capability to pre-existing use (Land Capability Class 4 to 6)
Community	• Ensure public safety at all times. • Ensure long-term access through the site for NPWS.

PART C ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

ENVIRONMENTAL MANAGEMENT

Environmental Management Strategy

C1. Prior to commencing construction, the Applicant must prepare an Environmental Management Strategy forthe development to the satisfaction of the Planning Secretary. This strategy must:

(a) provide the strategic framework for environmental management of the development;

(b) identify the statutory approvals that apply to the development;

(c) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;

(d) describe the procedures that would be implemented to:

(i) keep the local community and relevant agencies informed about the operation and environmental performance of the development;

(ii) receive, handle, respond to, and record complaints;

(iii) resolve any disputes that may arise;

(iv) respond to any non-compliance;

(v) respond to emergencies; and

(e) include:

(i) references to any strategies, plans and programs approved under the conditions of this consent; and

(ii) a clear plan depicting all the monitoring to be carried out in relation to the development.

Following the Planning Secretary's approval, the Applicant must implement the Environmental Management Strategy.

Revision of Strategies, Plans and Programs

C2. The Applicant must:

(a) update the strategies, plans or programs required under this consent to the satisfaction of the Planning Secretary prior to carrying out any upgrading or decommissioning activities on site; and

(b) review and, if necessary, revise the strategies, plans or programs required under this consent to the satisfaction of the Planning Secretary within 1 month of the:

(i) submission of an incident report under condition C11 of Schedule 2;

(ii) submission of an audit report under condition C15 of Schedule 2; or

(iii) any modification to the conditions of this consent.

Updating and Staging of Strategies, Plans or Programs

C3. With the approval of the Planning Secretary, the development may be staged and the Applicant may:

(a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);

(b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and

(c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).

C4. If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.

C5. If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.

C6. If the Planning Secretary agrees, a strategy, plan or program may be staged without addressing particular requirements of the relevant condition of this consent if those requirements are not applicable to the particular stage.

NOTIFICATIONS

Notification of Department

C7. Prior to commencing the construction, operations, upgrading or decommissioning of the development or the cessation of operations, the Applicant must notify the Department in writing via the Major Projects website portal of the date of commencement, or cessation, of the relevant phase.

If any of these phases of the development are to be staged, then the Applicant must notify the Departmentin writing prior to commencing the relevant stage, and clearly identify the development that would be carried out during the relevant stage.

Final Layout Plans

C8. Prior to commencing construction, the Applicant must submit detailed plans of the final layout of the development to the Department via the Major Projects website including details on the siting of solar panels and ancillary infrastructure.

C9. The Applicant must ensure that the development is constructed in accordance with the Final Layout Plans.

Work as Executed Plans

C10. Prior to commencing operations or following the upgrades of any solar panels or ancillary infrastructure, theApplicant must submit work as executed plans of the development to the Department via the Major Projects website.

Incident Notification

C11. The Planning Secretary must be notified in writing via the Major Projects website immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident. Subsequent notification requirements must be given, and reports submitted in accordance withthe requirements set out in Appendix 7.

Non-Compliance Notification

C12. The Department must be notified via the Major Projects website portal within 7 days afterthe Applicant becomes aware of any non-compliance.

C13. A non-compliance notification must identify the development and the application number for it, set out thecondition of consent that the development is non-compliant with, the way in which it does not comply andthe reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.

C14. A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

INDEPENDENT ENVIRONMENTAL AUDIT

C15. Independent Audits of the development must be conducted and carried out in accordance with the *Independent Audit Post Approval Requirements* (2020).

C16. In accordance with the specific requirements in the *Independent Audit Post Approval Requirements* (2020),the Applicant must:

(a) review and respond to each Independent Audit Report prepared under condition C15 of this consent, or where notice is given by the Planning Secretary;

(b) submit the response to the Planning Secretary; and

(c) make each Independent Audit Report, and response to it, publicly available within 60 days ofsubmission to the Planning Secretary. unless otherwise agreed by the Planning Secretary.

C17. Independent Audit Reports and the Applicant's response to audit findings must be submitted to the Planning Secretary within 2 months of undertaking the independent audit site inspection as outlined in the*Independent Audit Post Approval Requirements* (2020) unless otherwise agreed by the Planning Secretary.

C18. Notwithstanding the requirements of the *Independent Audit Post Approval Requirements* (2020), the Planning Secretary may approve a request for ongoing independent operational audits to be ceased, whereit has been demonstrated to the Planning Secretary's satisfaction that independent operational audits have demonstrated operational compliance.

ACCESS TO INFORMATION

C19. The Applicant must:

(a) make the following information publicly available on its website as relevant to the stage of thedevelopment:

(i) the EIS;

(ii) the final layout plans for the development;

(iii) current statutory approvals for the development;

(iv) approved strategies, plans or programs required under the conditions of this consent (other than the Fire Safety Study and Emergency Plan);

(v) the proposed staging plans for the development if the construction, operation ordecommissioning of the development is to be staged;

(vi) how complaints about the development can be made;

(vii) a complaints register;

(viii) compliance reports;

(ix) any independent environmental audit, and the Applicant's response to the recommendationsin any audit; and

(x) any other matter required by the Planning Secretary; and

(b) keep this information up to date.

APPENDIX 1:
LAYOUT OF DEVELOPMENT

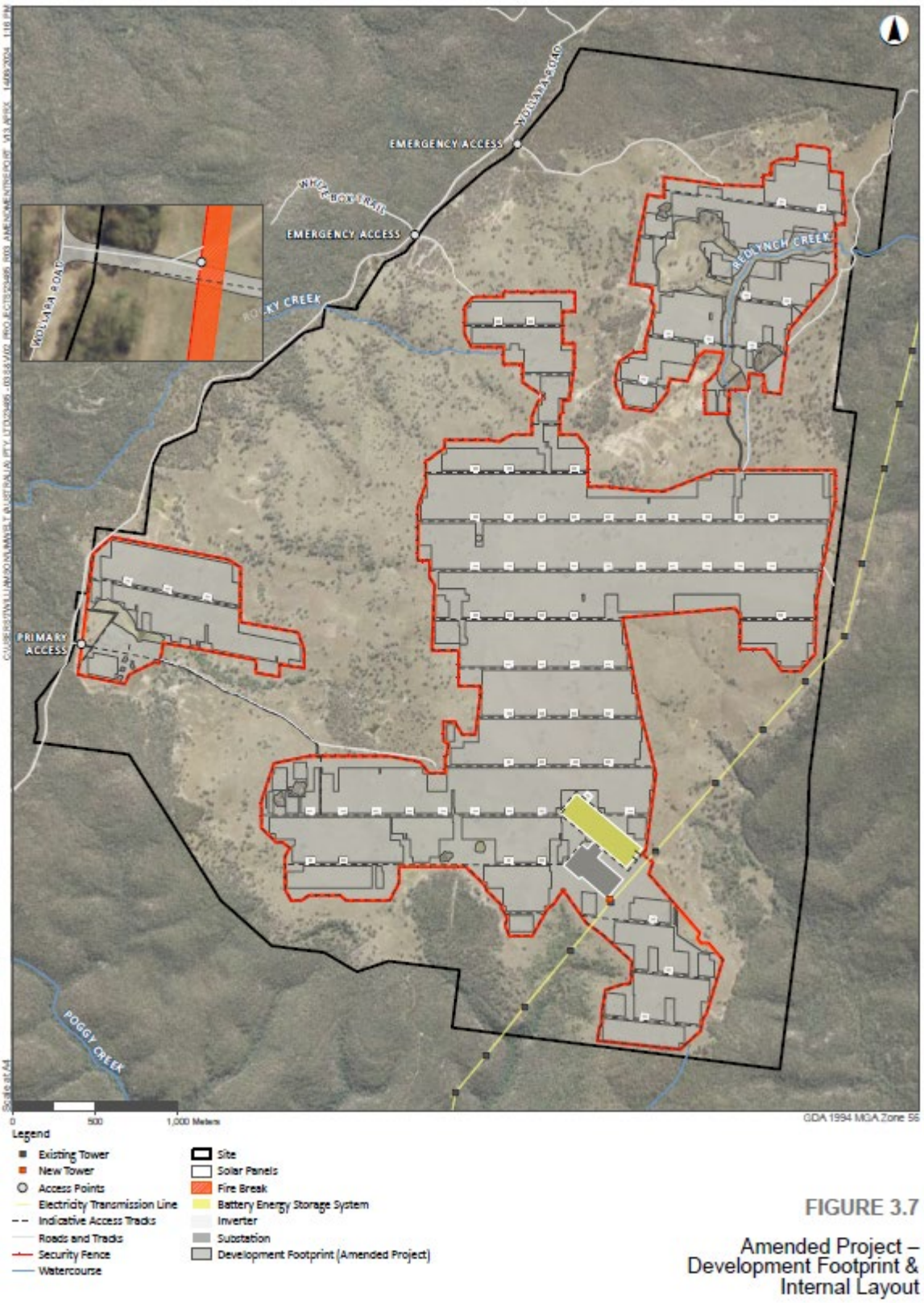

Figure 1: *Indicative General Layout*

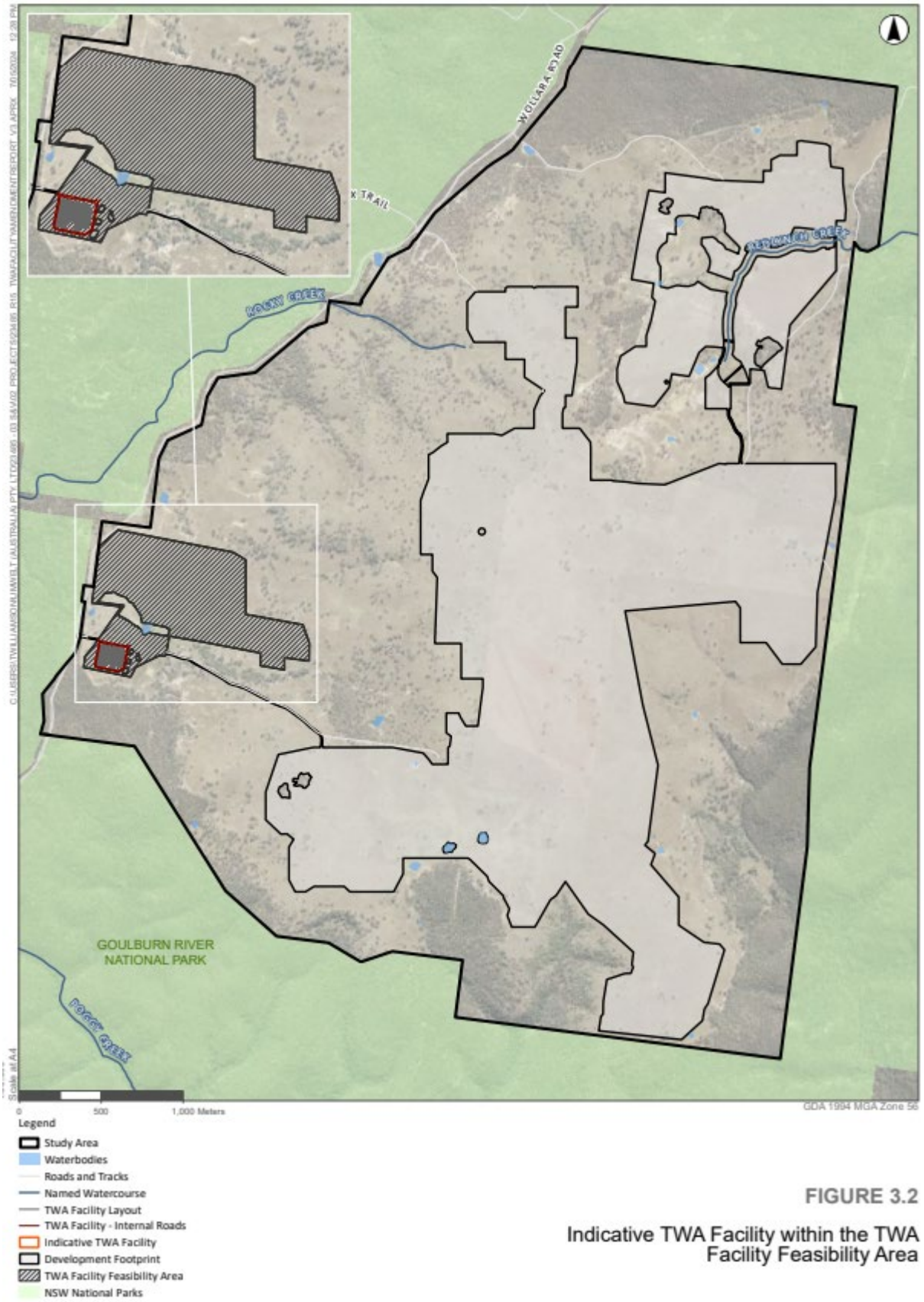

Figure 2: *Indicative location of temporary workers accommodation*

APPENDIX 2:
SCHEDULE OF LANDS

Lot Number	*Deposited Plan (DP)*	*Lot Number*	*Deposited Plan (DP)*
3	DP750956	9	DP750966
30	DP750956	10	DP750966
31	DP750956	64	DP750956
32	DP750956	75	DP750966
33	DP750956	76	DP750966
57	DP750956	86	DP750966
61	DP750956	87	DP750966
21	DP750966	77	DP750966
25	DP750966	78	DP750966
26	DP750966	82	DP750966
27	DP750966	99	DP750966
28	DP750966	102	DP750966
29	DP750966	105	DP750966
30	DP750966	42	DP750956
38	DP750966	43	DP750956
39	DP750966	47	DP750956
84	DP750966	55	DP750956
85	DP750966	56	DP750956
5	DP750966	84	DP750956
6	DP750966	58	DP750956
7	DP750966	62	DP750956
8	DP750966	63	DP750956

Note: The project site will also be taken to include any Crown land and road reserves contained within the site.

APPENDIX 3:
GENERAL TERMS OF THE APPLICANT'S VPA OFFER

The VPA must include provisions for the payment, collection, management and distribution of the contributions under the agreement, with a focus on funding community enhancement in the area surrounding the project site.

Council	***Payment Details***
Upper Hunter Shire Council	Annual contributions at the greater of: • $346 (increased by CPI) multiplied by the number of megawatts installed; or • $190,000 (increased by CPI).

APPENDIX 4:
ROAD UPGRADES AND SITE ACCESS

Road / Intersection	Location	Upgrade Requirements
Golden Highway/Ringwood Road intersection	Figure 5	• Construction of a new 325 m acceleration / merge lane for the left turn from Ringwood Road onto Golden Highway for westbound vehicles. • Extension of the existing Golden Highway westbound and Ringwood Road left-in deceleration lane taper to 30 m. • Relocate the safety barrier to ensure complaint BAR treatment.
Barnett Street	Figure 6	• Sealing of the first 30m of Barnett St from the intersection with Golden Highway.
Ringwood Road	Figure 7	• Widening and resealing of a 1.8 km section of Ringwood Road between Bow River and Killoe Creek. • Upgrade/replace culverts at Bow River and Killoe Creek as required.
Ringwood Road	Figure 7	• Realignment, widening and sealing of an additional 1.6 km section of Ringwood Road between Killoe Creek and Binks Road.
Wollara Road	Figure 8	• Realignment, widening and sealing of a 4.7 km unpaved section of Wollara Road between the Goulburn River National Park boundary and 1621 Wollar Road.

Notes:

- *Refer to Figure 5 to Figure 8 in this Appendix for the location of the road upgrades.*
- *Upgrades must comply with the Austroads Guide to Road Design (as amended by TfNSW supplements).*
- *Under Part 4.4.2 of the EP&A Act, the Applicant is required to obtain consent under section 138 of the Roads Act 1993 from the relevant road authority prior to commencing the road upgrades.*

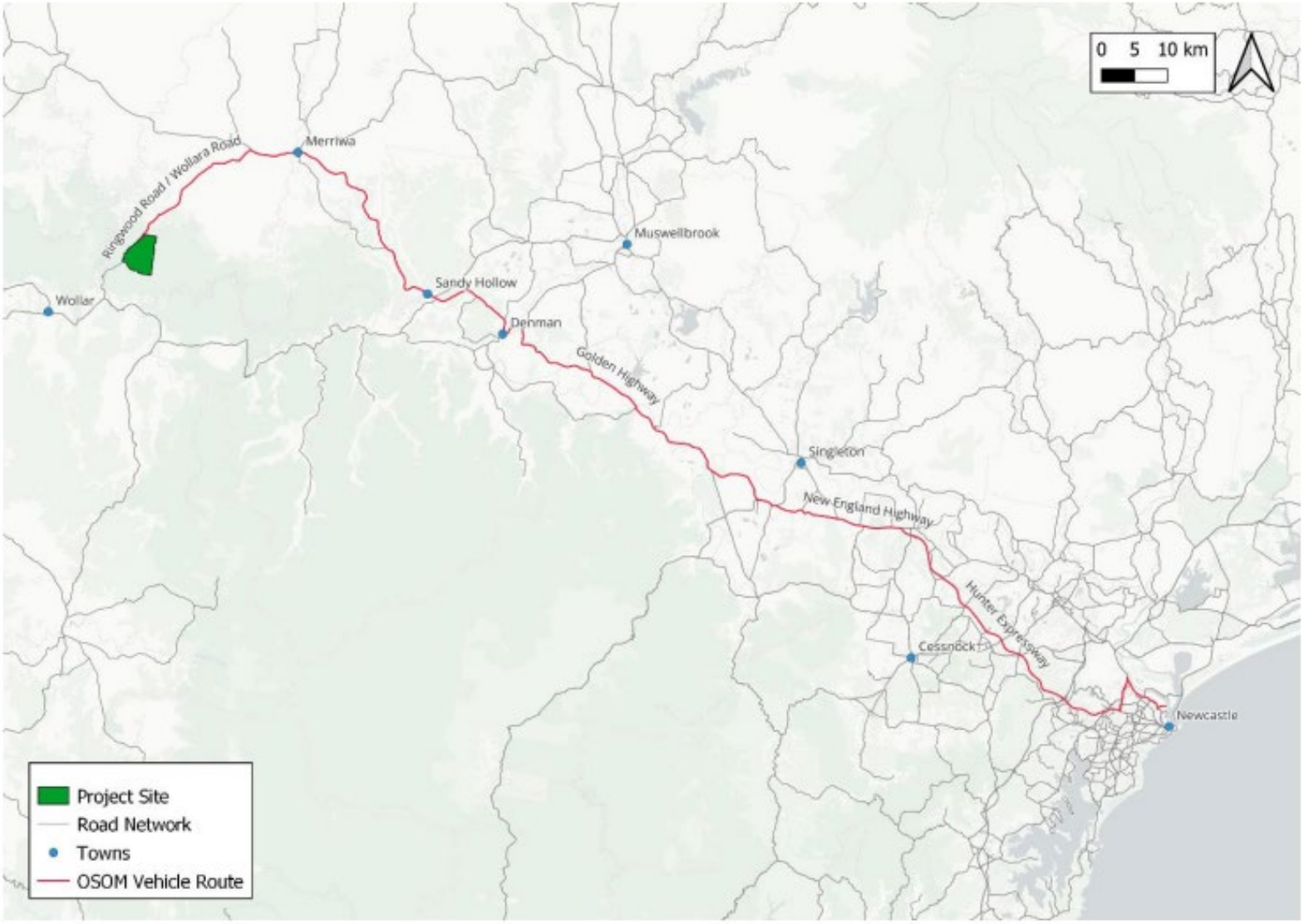

Figure 3: *Heavy vehicle requiring escort transport route*

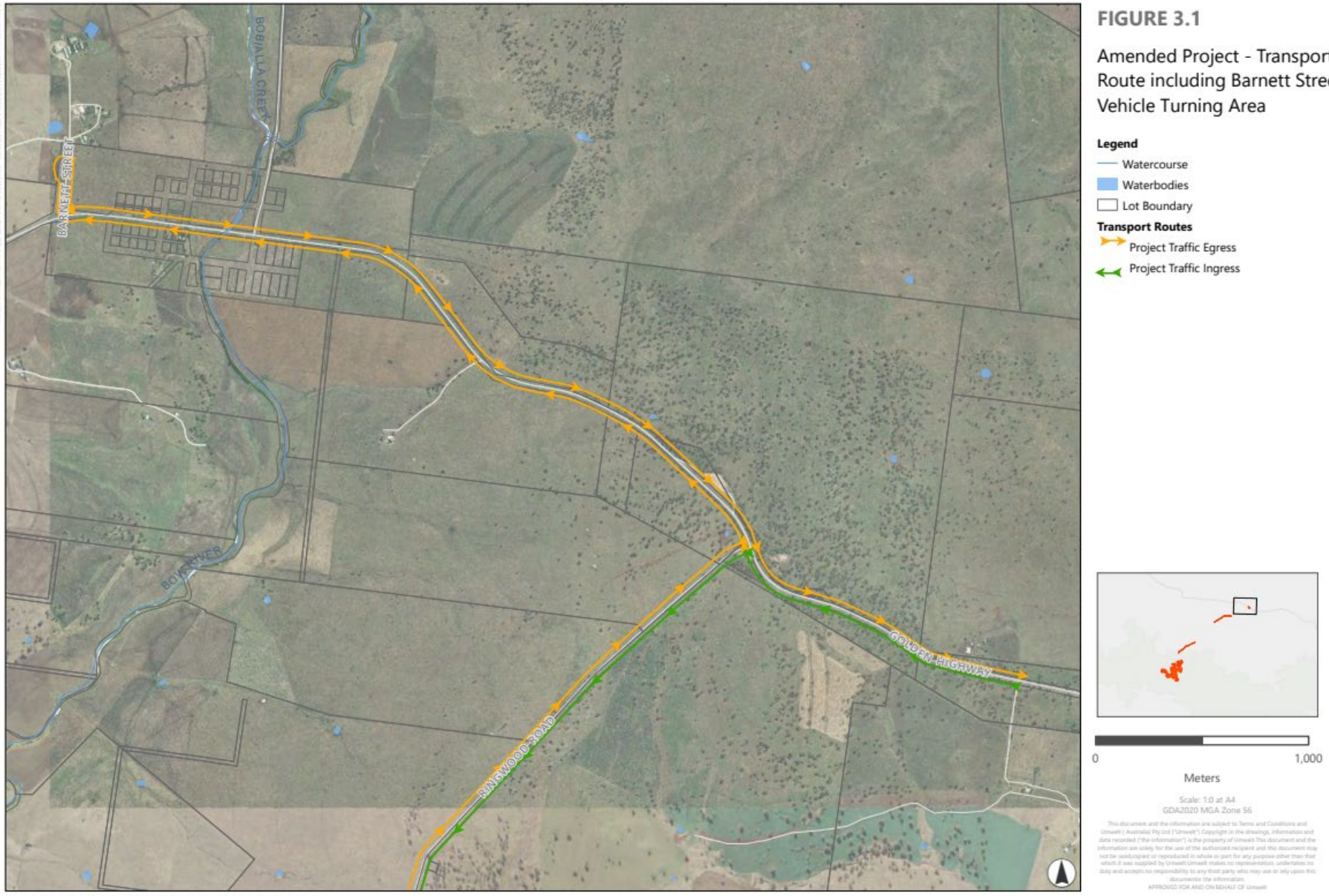

Figure 4: *Transport Route – Barnett Street turnaround area*

Figure 5: *Location of Intersection Upgrade at Golden Highway and Ringwood Road*

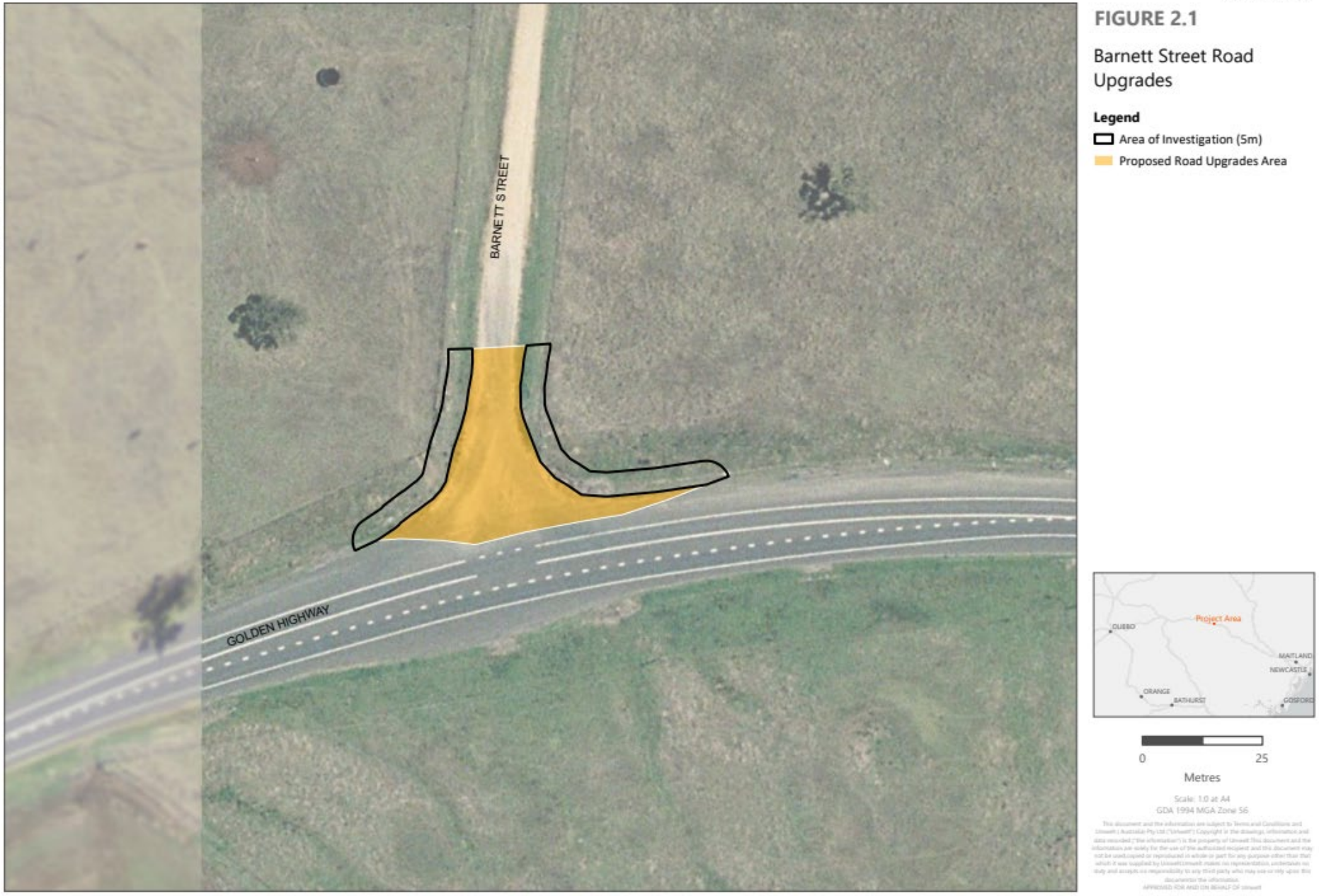

***Figure 6**: Location of sealing on Barnett Street*

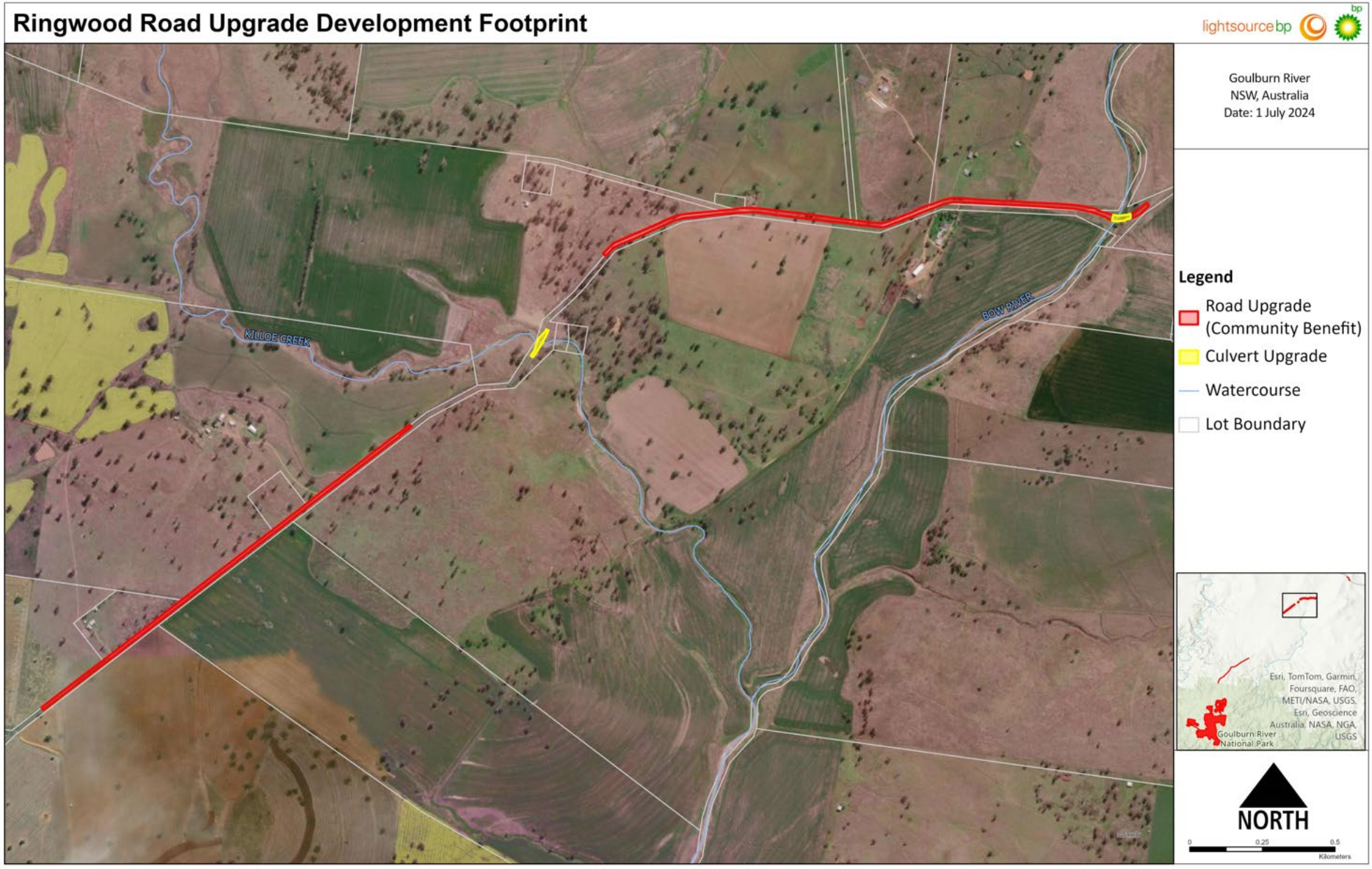

Figure 7: *Location of Road Upgrades on Ringwood Road*

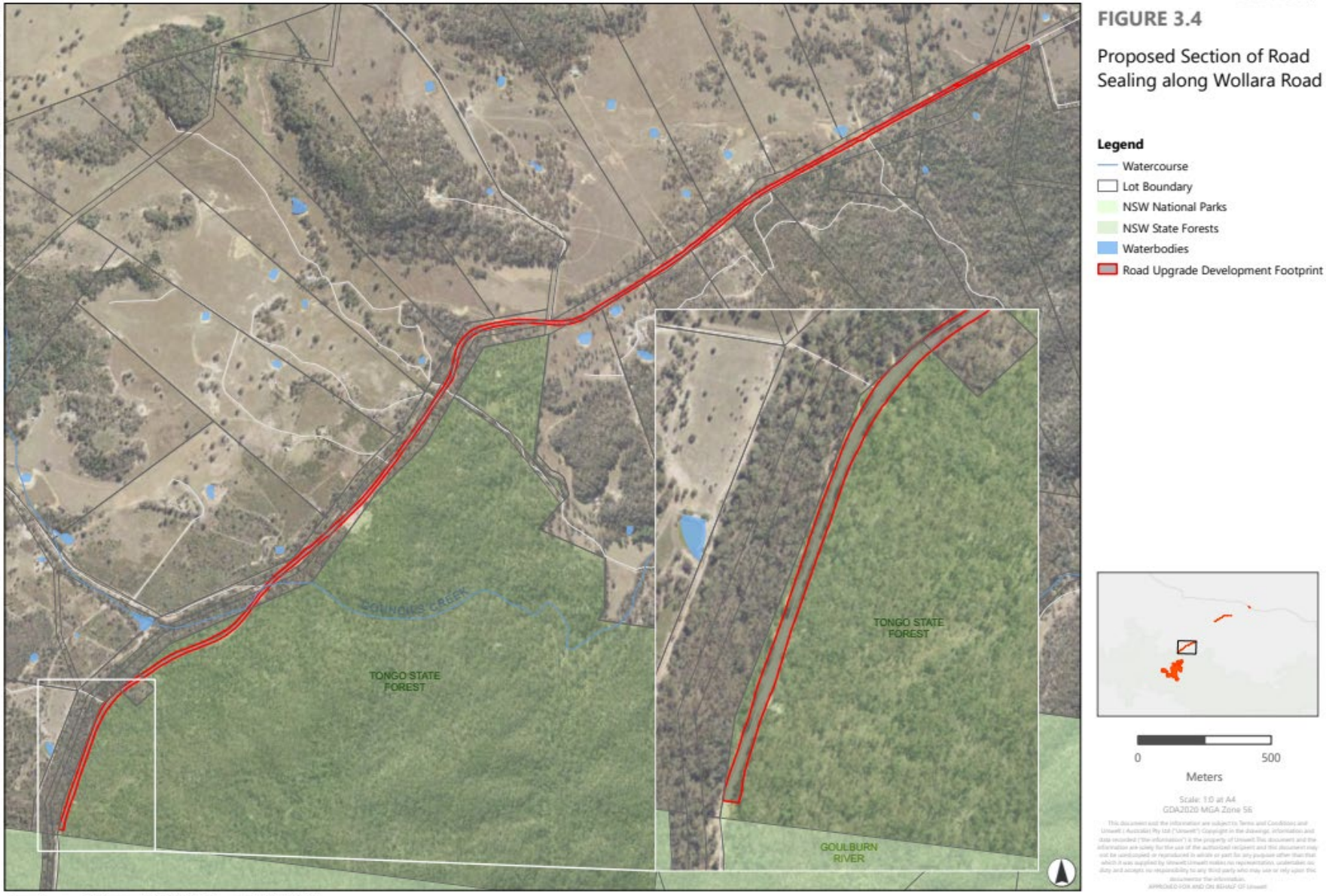

Figure 8: *Location of Sealing on Wollara Road*

APPENDIX 5:
LANDSCAPE PLAN

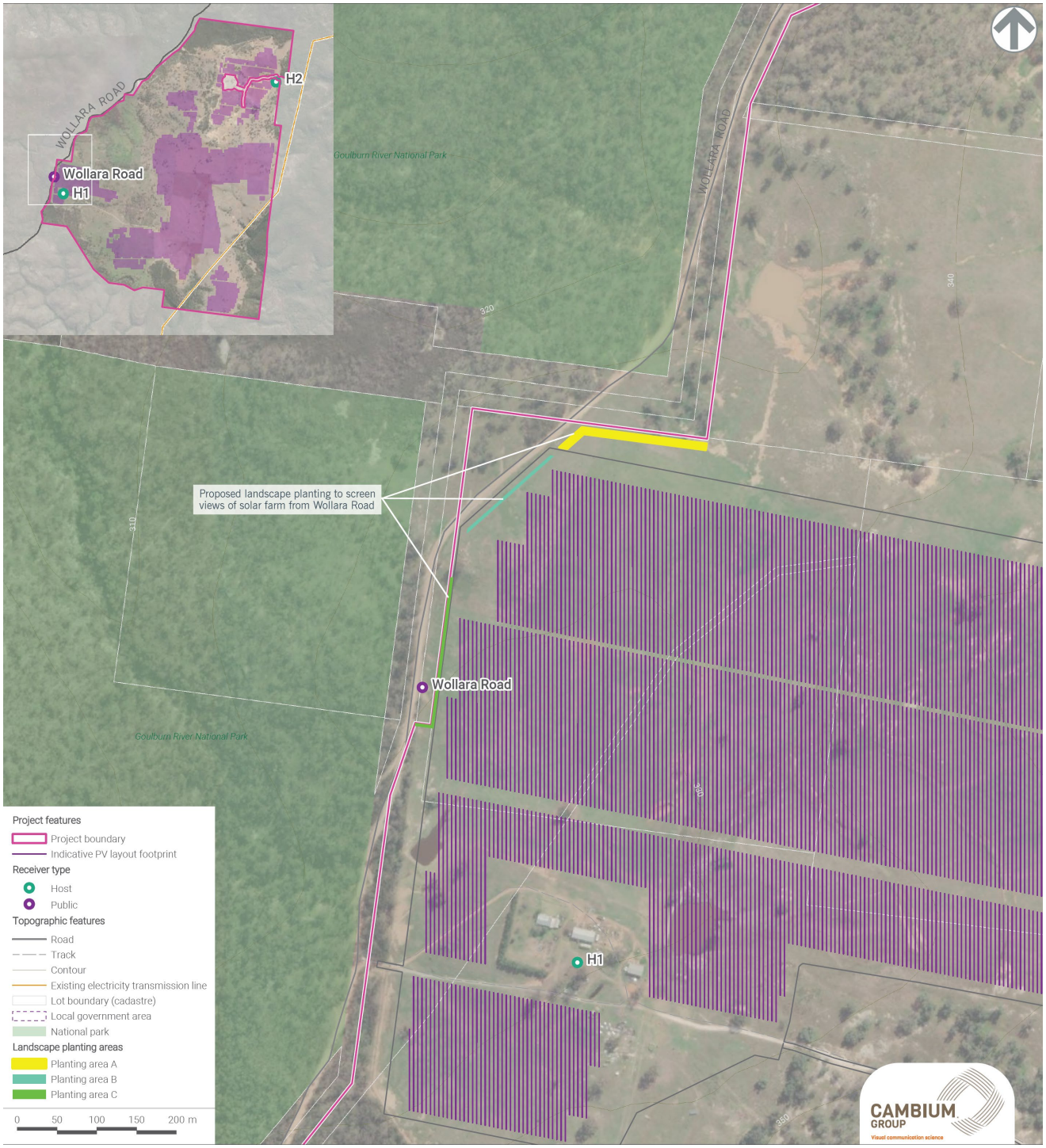

Figure 9: *Conceptual Landscape Plan*

APPENDIX 6:
HERITAGE ITEMS

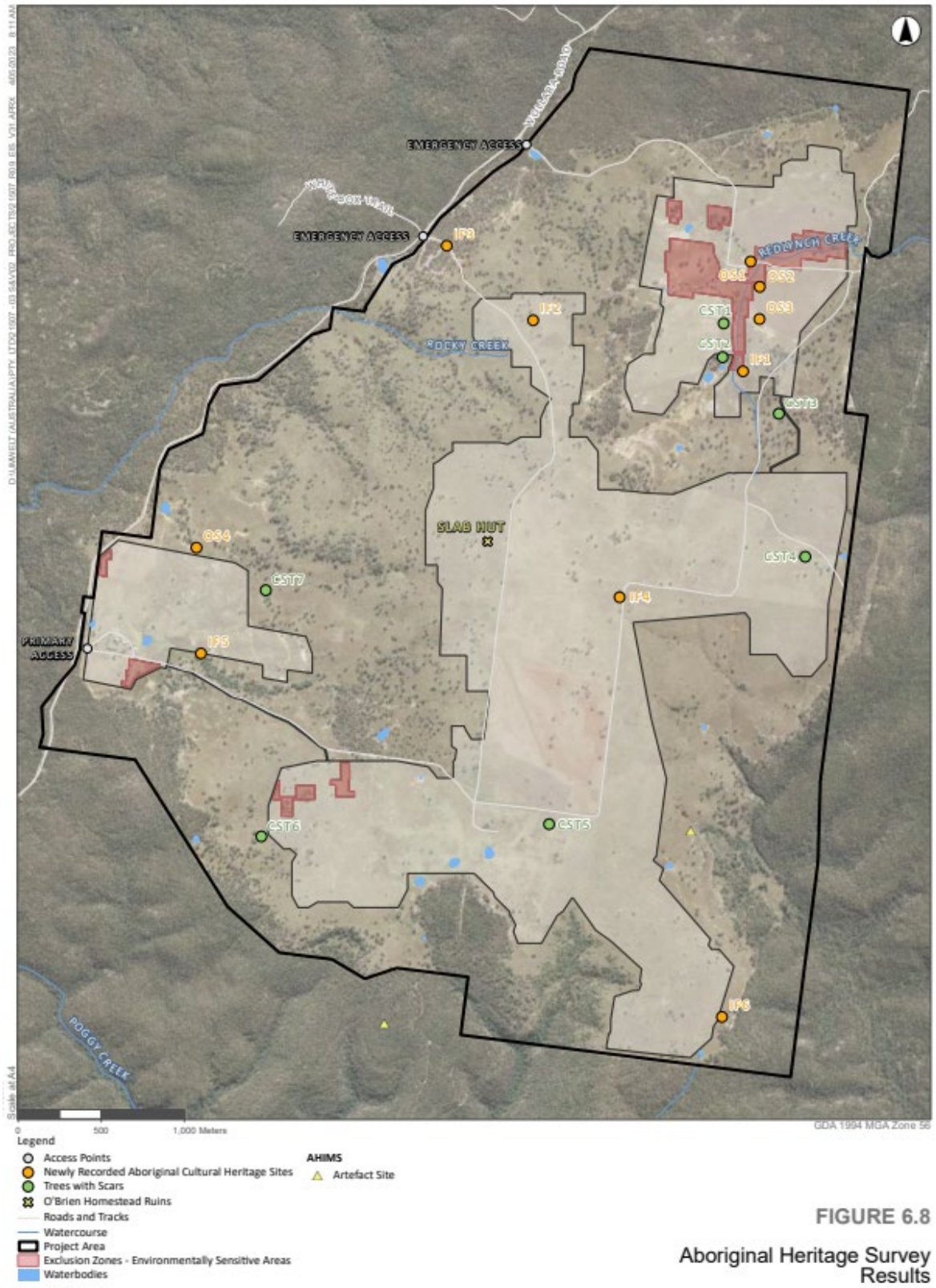

Figure 10: *Location of Heritage Items*

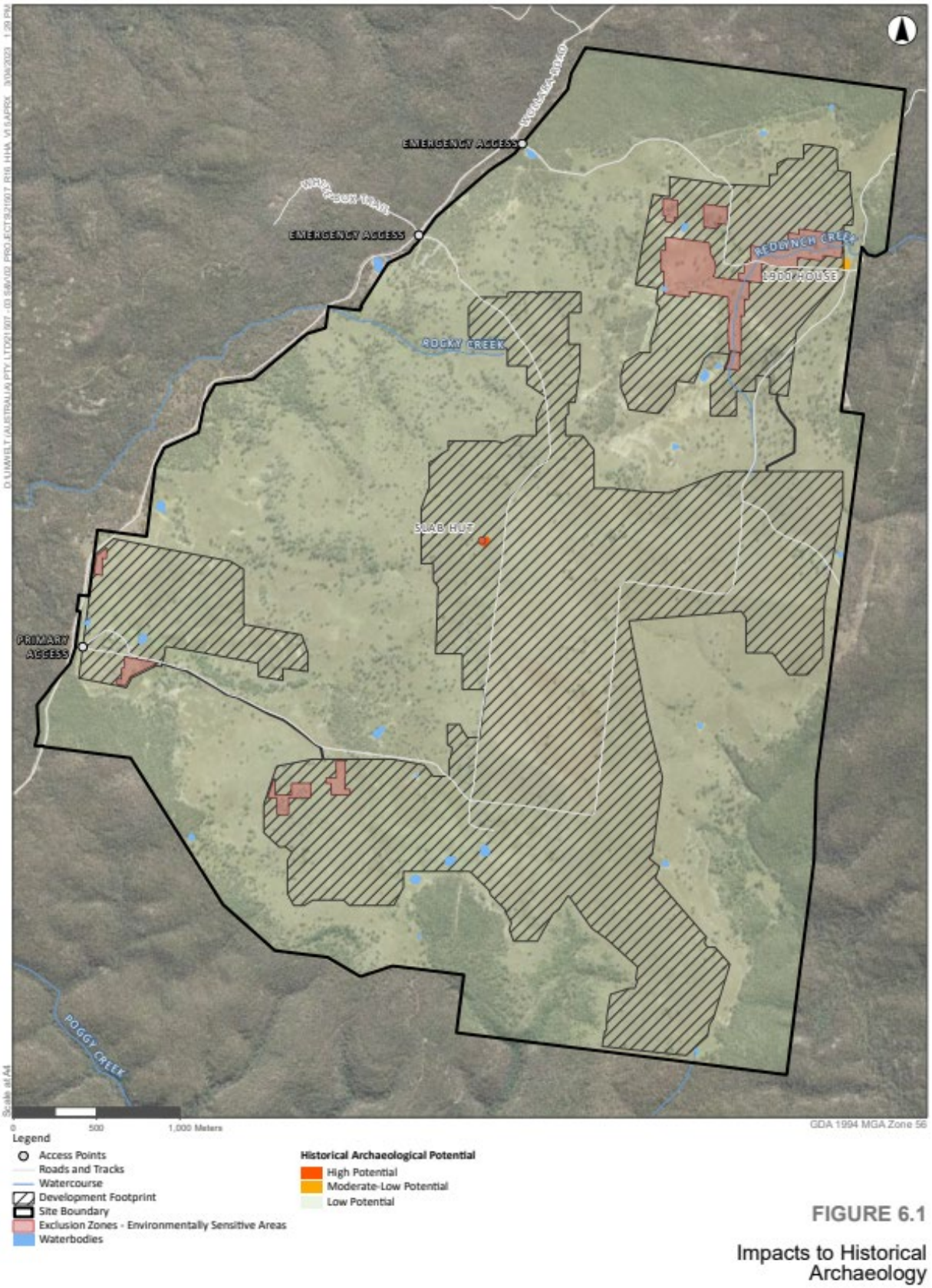

Figure 11: *Location of Original Slab Hut*

Table 1: *Heritage items – avoid impacts*

Item name
37-1-1027 (Redlynch Creek IF1)
37-1-1032 (Ringwood Gully IF6)
37-1-1033 (Killoe Creek GG1)
37-1-1037 (Rocky Creek Gully OS4
Tree with scar (CST2)
Tree with scar (CST3)
Tree with scar (CST6)
Tree with scar (CST7)

Table 2: *Heritage items – impacted*

Item name	***Management Measure***
37-1-1028 (Rocky Creek Slope IF2)	salvaged by a surface collection
37-1-1029 (Wollara Road IF3)	salvaged by a surface collection
37-1-1030 (Monaghans Creek IF4)	salvaged by a surface collection
37-1-1031 (Rocky Creek Gully IF5)	salvaged by a surface collection
37-1-1035 (Redlynch Creek OS1)	salvaged by a surface collection
37-1-1034 (Redlynch Creek OS2)	salvaged by a surface collection
37-1-1036 (Redlynch Creek OS3)	salvaged by a surface collection
Tree with scar (CST1)	site visit and photographic recording
Tree with scar (CST4)	site visit and photographic recording
Tree with scar (CST5)	site visit and photographic recording

APPENDIX 7:
INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

WRITTEN INCIDENT NOTIFICATION REQUIREMENTS

1. A written incident notification addressing the requirements set out below must be submitted to the Planning Secretary via the Major Projects website within seven days after the Applicant becomes awareof an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under Condition C11 or, having given such notification, subsequently forms the view that an incident has not occurred.

2. Written notification of an incident must:
   (a) identify the development and application number;
   (b) provide details of the incident (date, time, location, a brief description of what occurred andwhy it is classified as an incident);
   (c) identify how the incident was detected;
   (d) identify when the applicant became aware of the incident;
   (e) identify any actual or potential non-compliance with conditions of consent;
   (f) describe what immediate steps were taken in relation to the incident;
   (g) identify further action(s) that will be taken in relation to the incident; and
   (h) identify a project contact for further communication regarding the incident.

3. Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.

4. The Incident Report must include:
   (a) a summary of the incident;
   (b) outcomes of an incident investigation, including identification of the cause of the incident;
   (c) details of the corrective and preventative actions that have been, or will be, implemented toaddress the incident and prevent recurrence; and
   (d) details of any communication with other stakeholders regarding the incident.